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ABSTRACT

The document reports findings on implementation of P.L. 94-142 (the Education for All Handicapped Children Act) in three local education agencies (LEAs) in State A, one of three states studied. An initial section discusses the conceptual model which was used to generate hypotheses, organize data, and analyze findings as LEAs implemented the major provisions of P.L. 94-142. In a second section, a brief description of the general state context in which the implementation process occurred at the LEA level is provided. Identified are major contextual and other variables which indicated the nature and extent of the state education agency influence over the LEAs. Finally, individual case studies of the three LEAs are presented. Considered for each LEA are the overall context in which the process is implemented, the specific activities and procedures used by the LEA to implement the major provisions, and the consequences and coping strategies which were observed over 2 school years. Findings are reported in the following areas: childfind, assessment, placement/least restrictive environment, individualized education program, and due process/parental involvement. (SBH)

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FINAL REPORT
SUBMITTED TO USOE/BEH

STATE A

CASE STUDY OF THE IMPLEMENTATION OF P.L. 94-142

16 MAY 1979

EDUCATIONTURNKEYSYSTEMS inc

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PREFACE

As part of its overall evaluation strategy, the Bureau of Education for the Handicapped contracted with Education TURNKEY Systems, Inc. to conduct a series of case studies of the implementation of P.L. 94-142 during school years 1977-78 and 1978-79. These case studies were conducted in three states and in three local education agencies (LEAs) in each state. While the general findings and cross-site comparisons are presented in the Executive Summary, this Background Report focuses upon State A and the three LEAs which participated in the study.

This Background Report is organized as follows. First, we discuss the conceptual model which was used to general hypotheses, organize date, and analyze findings as LEAs implemented the major provisions of P.L. 94-142. Second, we then briefly describe the general state context in which the implementation process occurred at the LEA level. Here, we identify major contextual and other variables which indicate the nature and extent of the SEA influence over the LEAs. Last, individual case studies of the three local education agencies are presented. For each local education agency we describe the overall local context in which the process is implemented, the specific activities and procedures used by the LEA to implement the major provisions, and the consequences and coping strategies which were observed over the two school years.

In preparing this background report, we have taken every precaution to protect the anonymity of respondents and the participating LEAs. Each of the participating state education agencies and LEAs were given the opportunity to comment upon the report; where appropriate, comments were integrated into the respective documents. All findings in this report have been documented or otherwise substantiated through informal discussions, interviews, and review of extant documentation.

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CHAPTER I
INTRODUCTION AND BACKGROUND OF THE STUDY

In 1975, Congress passed and the President signed into law P.L. 94-142, the Education for All Handicapped Children Act. This law guarantees to every handicapped child the right to a "free appropriate public education," regardless of his/her handicap.

Many of the provisions of this new law are contained in earlier legislation (e.g., P.L. 93-380, Section 504 of the Rehabilitation Act of 1973). Among the demands placed on SEAs (and in turn on LEAs) are childfind, non-discriminatory assessment, the development of an individualized educational program (IEP) for each handicapped child, placement of each handicapped child in the least restrictive environment (LRE), and the provision of due process procedures. All these provisions, except the IEP requirement, were contained in prior legislation.

The Bureau of Education for the Handicapped (BEH), U.S. Office of Education, has the responsibility for overseeing the implementation of P.L. 94-142. To carry out this responsibility, BEH has engaged in several activities to assist the states and to assess the initial impact of the Act. For example, the Bureau developed a series of multi-media packages designed to explain P.L. 94-142 to parents, to administrators, and to general audiences.

BEH also sponsored a series of studies on the initial impact of P.L. 94-142, including a four-state study of IEPs. The Bureau funded several multi-year studies of the first years of the implementation of P.L. 94-142: a four-year longitudinal study and this Case Study of the Implementation of P.L. 94-142.

The primary purpose of this Case Study is to identify and to explain to the greatest extent possible the consequences and effects of the implementation of P.L. 94-142 in nine LEAs selected from three states. The general questions addressed in the study are:

1. What are the consequences and effects of the implementation of P.L. 94-142 at the local level?

2. Which consequences can be attributed to P.L. 94-142 and which to SEA policies or other factors?
3. To what extent can consequences be explained by SEA and LEA contextual variables and by process/implementation variables?
4. Are there patterns of implementation of the major provisions of P.L. 94-142? In what orders are major provisions implemented, given that full implementation will not occur immediately?
5. What is the nature and extent of unintended consequences of the implementation of P.L. 94-142?

The three states were selected to provide variation in state progress toward full implementation of the Act; the LEAs were chosen to be representative of urban, suburban, and rural districts within each of the states. This Case Study provided rich data from a wide variety of settings on the consequences of implementation, which will be useful to both Congress and BEH.

To organize our collection and analysis of data, we have developed a model of the implementation process, which we present in the next section of this report. The descriptive information included in the remaining chapters of this report generally follow the conceptual model of implementation.

A Model for Assessing the Implementation of P.L. 94-142.

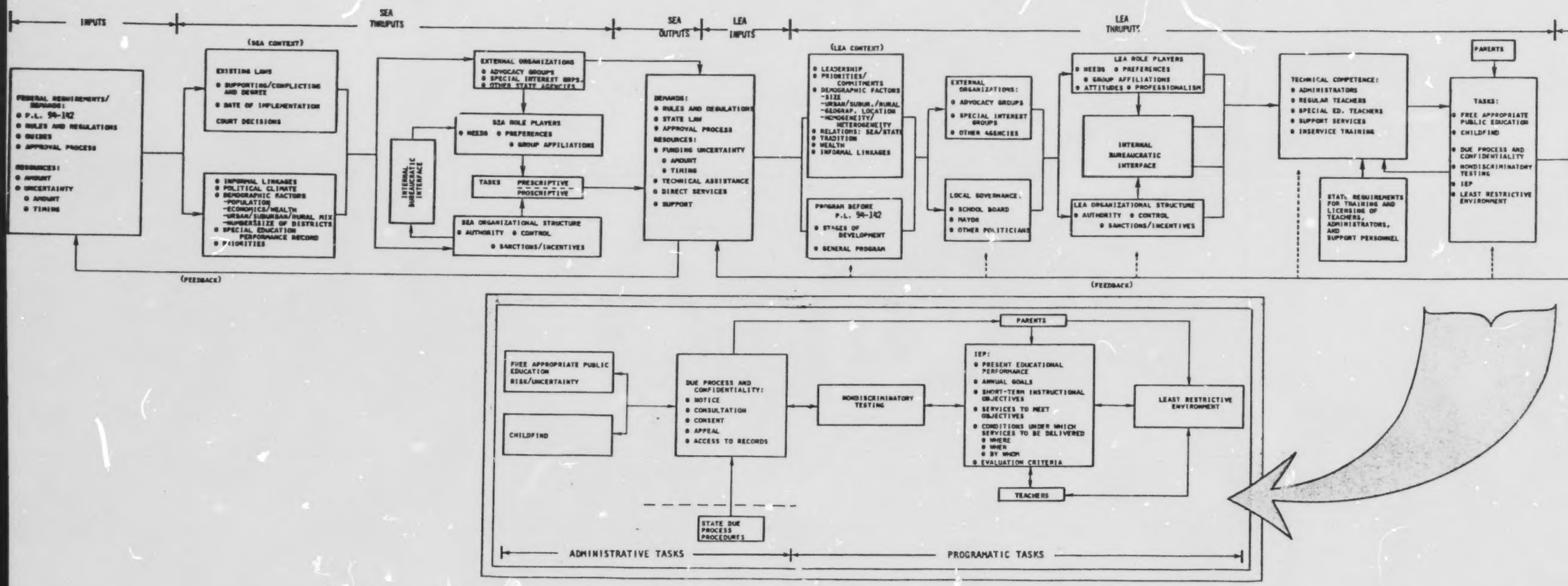
The model that we developed and modified over the period of the study served several purposes: (1) it provided a framework for our analyses; (2) it provided a basis for generating study questions and hypotheses; and (3) it allowed us to identify the relevant variables affecting implementation. This model is similar to the one developed by Milstein (1976) to explain Federal-state interactions. We have drawn upon the work of Easton (1965), Kirst (1972), Murphy (1971, 1973, 1974), Bailey and Mosher (1968), Weatherley and Lipsky (1977), and others in developing our model, which is presented in Exhibit 1.

This model includes elements external to the SEA and LEA, as well as internal elements of these systems. Van Meter and Van Horn (1975) note that economic, social, and political conditions "may have a profound effect on the performance of implementing agencies," although "the impact of these factors on the implementation of policy decisions has received little attention" (p. 471).

The SEA Implementation Model

Although the focus of this case study was on the consequences of implementation

CONCEPTUAL MODEL FOR THE IMPLEMENTATION OF P.L. 94-142



at the LEA level, an LEA's reactions to P.L. 94-142 will to a great degree be determined by how the SEA reacts to the law, by the demands the SEA places upon the LEA. We therefore have included the SEA as a major component of our model.

Inputs

Inputs to the SEA from the Federal level include demands and resources. The demands include the law (P.L. 94-142), the regulations drawn up by BEH, and the approval process. The resources are primarily the funding that goes from the Federal government to the states.

The Law and Regulations. P.L. 94-142 includes a number of provisions that must be adhered to by both SEAs and LEAs. These stipulations include:

- assurance of extensive child identification procedures;
- assurance of the "full service" goal and a detailed timetable;
- a guarantee of complete due process procedures;
- the assurance of regular parent or guardian consultation;
- maintenance of programs and procedures for comprehensive personnel development, including in-service training;
- assurance that special education will be provided to all handicapped children in the least restrictive environment;
- assurance of nondiscriminatory testing and evaluation;
- a guarantee of policies and procedures to protect the confidentiality of data and information;
- assurance of the development of an Individualized Educational Program for each handicapped child;
- assurance of an effective policy guaranteeing the right of all handicapped children to a free, appropriate public education, at no cost to parents or guardian; and
- assurance of a surrogate to act for any child when parents or guardian are either unknown or unavailable, or when said child is a legal ward of the state.

The SEA is responsible for monitoring compliance by its local school districts with respect to these various stipulations. The U.S. Commissioner of Education has corresponding monitoring responsibilities viv-à-vis SEA compliance.

Final regulations for P.L. 94-142 were published in August 1977; additional regulations concerned with the definition of learning disabilities were published in December 1977. These various regulations interpret the law for SEAs and LEAs, and detail procedures that must be followed, e.g., in developing IEPs, for due process, etc.

The Approval Process. Each SEA must submit a detailed Annual Program Plan to BEH; this plan must be approved before Part B funds are passed on to the state. The Plan must included several elements, including assurances to the U.S. Commissioner of Education that the state is following policies and procedures that will guarantee to each handicapped child a free, appropriate public education. BEH action on the Annual Program Plan for a state can range from rejection to parital or full approval.

Resources. P.L. 94-142 provides Federal funds to SEAs and LEAs based on the number of handicapped children from age 3 to age 21, multiplied by a percentage of the national average per pupil expenditure for elementary and secondary education. This percentage authorization increases from 5% for the 1977-78 school year to 40% for the 1981-1982 school year and for each year thereafter. Entitlement Legislation, however, has not ensured that the necessary funds will be appropriated by Congress.

During the 1977-78 school year, 50% of the funds that went to a state were passed through to LEAs; in subsequent years, 75% will be passed through. The SEA share may be used to provide direct services, but only 5% (or $200,000, whichever is greater) of the total may be retained by the state for administrative costs. Services must be provided to priority one children (those not currently served) and then to priority two children (those severely handicapped children who are inadequately served).

Funds provided under Part B can be used only to cover the excess costs of educating handicapped children, and cannot be used to supplant funds already available at the SEA or LEA level, unless the SEA can satisfactorily demonstrate to BEH that all handicapped children in the state are receiving "adequate" educational services; in this latter case, Part B funds may be used to supplant SEA and LEA funding.

Although the entitlement formula is quite clear, there continues to be uncertaintly about the specific amount to be appropriated and allocated, particularly during the early stages of implementation.

SEA Contextual Variables

Differences among states in providing education and related services to the handicapped are perhaps greater than for any other area of education. These differences can be explained to some degree by a number of contextual variables at the state level; state law, and political, economic, and social variables.

State Law. Almost all states have passed legislation that is similar to, if not identical with, P.L. 94-142. In some states, legislation was passed in anticipation of the implementation of P.L. 94-142; in other states, legislation preceded passage of the Federal law. We would expect that implementation of P.L. 94-142 would be facilitated in states where the law is very similar to the Federal law. Three factors limit this hypothesis, however. First, state legislatures may be unwilling to appropriate sufficient funds to implement the state law fully. Second, state laws may not be comprehensive enough, or may actually conflict with other state statutes. Third, implementation of P.L. 94-142 will not be facilitated if the state law will not be fully implemented for several years after the Federal law becomes effective. Court decrees can drastically alter a state's approach to educating the handicapped or can speed up a timetable for implementation of the state law.

Political, Economic, and Social Variables. Demographic factors will exercise a great deal of influence on the implementation process. States dominated by suburban districts, for example, will operate differently from those dominated by urban or rural districts. Wealthy states will provide different services from poorer states. States with large minority populations have different problems to face compared with states with small minority populations.

One very important factor at the state level is the informal linkages, both between the Federal government and the SEA and within the state government. Another very important factor is the political climate in the state--the role of the governor and the state legislature and their influence or authority over SEA. In many states, the governor appoints the state board of education; in others, the board is elected. In some states, the state superintendent is appointed by the board, in others elected state-wide, and in still others appointed by the governor.

Two final contextual variables will influence a state's implementation of P.L. 94-142; the state's prior performance in special education, and the state's priorities. What a state has done in special education may have little

to do with the state law; a law that mandates education for the handicapped but that is not enforced or funded will not lead to quality services to the handicapped. A state's priorities will also affect services to the handicapped; a state can emphasize or de-emphasize special education, and it can stress different provisions of P.L. 94-142 to be implemented.

SEA Thruputs

The implementation process is greatly affected by external influences on the SEA, by the SEA's organizational structure, and by the SEA role players.

External Organizations. The influence of advocacy groups on special education will vary greatly among states, as reflected in the evolution of state laws and policies over the past decade. In some states, for example, the Association for Retarded Citizens may be the most active group; in other states, the Association for Children with Learning Disabilities will be active. The influence of these groups will be felt formally through such activities as lobbying and informally through professional associations and personal relationships with SEA role players.

Special interest groups can also be very influential at the state level. The most important of these are likely to be teachers' or administrators' unions; taxpayers' associations may also be very active. Parent groups separate from the various advocacy groups can be important at the state level.

A third major external force at the state level are other state agencies that have in the past provided services to the handicapped; these might include departments of mental health, mental retardation, human services, etc. P.L. 94-142 requires the SEA to supervise all educational and related services provided by these other agencies. These other agencies may seek to retain control over their traditional functions. Some states have created new "LEAs" within these agencies to meet the supervisory requirement of the Federal law. One effect of this may be an actual reduction in services to the handicapped in the short run as state agencies reduce such services because the SEA has the legal responsibility to provide the services. The SEA, however, may not have the authority or the resources to meet these responsibilities.

SEA Role Players. The roles of SEA officials involved in the implementation of P.L. 94-142 will be influenced by several factors: by both subordinate

bureaucratic tendencies and superordinate leadership and management, as well as by individual needs, preferences (when discretion is allowed), affiliations, and professionalism.

Professional ties are extremely important in special education, perhaps more so than in almost any other area of education. This has led to distinct divisions in state bureaus and to the establishment of informal networks that function within the formal structure.

The tremendous growth of special education in recent years has resulted in the concomitant growth of relevant agencies at the state level, which in some instances has threatened other bureaucracies within the SEA. The great demands of P.L. 94-142, coupled with growing resources, have given SEA special education personnel even greater opportunity to use their discretion in determining priorities.

Group affiliations in special education tend to form along lines of expertise rather than function (e.g., learning disabilities specialists, speech therapists, etc.). These coalitions have a great impact in inter- and intra-agency bargaining for resources.

SEA Organizational Structure. The authority of the SEA to carry out its responsibilities under P.L. 94-142 may be limited by law or by tradition. The SEA's relationship with other state agencies may be ambiguous, and there may be no mechanism to coordinate services to the handicapped at the state level unless informal structures exist.

Structures for implementing P.L. 04-142 may range from existing divisions to newly-created units; the former situation prevails in most states. Here, risk aversion, the use of standard operating procedures, and bargaining among coalitions explain much of the implementation process.

SEA control structures range from regulations to program and financial audits of LEAs. The zeal with which such governance is pursued varies from state to state, however, if for no other reason than that the amount of Federal funds going to LEAs under the Act is small relative to the amount of state and local funds being used to finance the education of the handicapped. The SEA's ability to control the LEAs also varies; traditional concepts of superior-subordinate do not apply here because we are dealing with independent organizations, not with individuals within an organization (see Van Meter & Van Horn, 1975).

SEA governance over LEAs is further influenced by the sanctions the SEA perceives the Federal government can and will impose upon the state.

Outputs

The outputs from the SEA level are of two types, demands and resources. These outputs in turn become the inputs to the LEA level, and are discussed in the next section.

The LEA Implementation Model

Inputs

The inputs to the implementation process at the LEA level include the outputs from the SEA level: the state law (discussed above), regulations, and the approval process; and funding, technical assistance, direct services, and general support.

Demands. The states make demands of their LEAs in the form of regulations and the approval process. Regulations will affect several of the tasks required of the LEAs under the Act; these will be dealt with below (e.g., IEPs, LRE, etc.). An LEA must apply to the SEA for approval of its program for the handicapped before it receives any funds under P.L. 94-142.

Resources. One of the strongest influences upon an LEA's provision of education for the handicapped is the state funding formula. An LEA will typically receive funds from the state based on the number and/or types of children it has receiving special education services. Some funding formulae encourage mainstreaming, others, self-contained special classes. In the latter case, fiscal incentives could conflict with the LRE requirements of P.L. 94-142.

The technical assistance provided by the SEA to LEAs will affect some aspects of local implementation. If the SEA is unable or unwilling to provide such services, however, this will place another burden on the LEA, which will either have to obtain this assistance from other sources or do without.

The state also provides direct services, e.g., it maintains institutions for various types of handicapped individuals. Typically, these institutions will serve severely and/or multi-handicapped individuals.

Another very important resource provided by the SEA is general support for the LEAs. If a local director of special education services, for example, cannot obtain necessary local resources to maintain a particular program, the SEA's intervention with the local superintendent may be instrumental in obtaining these resources.

LEA Contextual Variables

Although state law may mandate education of some or all handicapped children, the actual services provided to these children will vary greatly from one part of the state to another, depending upon a variety of contextual factors.

Program Before P.L. 94-142. LEAs vary greatly in the proportion of their total enrollments receiving special education services. These differences in service rates, however, do not mean that the quality of services is inappropriate to the community. The incidence of handicapping conditions varies greatly across communities. How P.L. 94-142 is implemented at the LEA level will depend in large measure upon the match between the existing local programs and the requirements of the Act, as filtered through state rules and regulations. If the existing program substantially meets the requirements of P.L. 94-142, implementation will be relatively smooth and successful. If there is a great deal of disparity between the program and the Act, however, implementation will be difficult and probably incomplete. As Wilken and Callahan (1976) noted, "Achieving a better match between special education needs and services depends heavily on the willingness of law-makers to develop public policy which is much more sensitive to variation in the ability and inclination of localities to educate the handicapped" (p. 7; emphasis added).

A district's special education program generally goes through three major stages of development as it is implemented. First, an LEA will establish the mechanisms required by the legislation. In the case of P.L. 94-142, this stage includes setting up childfind procedures, assessment procedures, placement committees, etc. Second, linkages between special education services and other segments of the school system will be established. Resource room teachers will coordinate their efforts more closely with those of regular classroom teachers, for example. Communications with other divisions within the LEA (e.g., remedial reading, Title I, vocational education, etc.) will occur. These first two stages are essentially concerned with developing new organizational structures. Third, there will be a focus on the quality of individual children's programs. In this stage, staff are concerned with the relationship between programming and a child's needs. The degree to which an LEA implements P.L. 94-142 depends to a great extent on the stage of development the existing special education program was in before implementation.

Political, Economic, and Social Variables. Many local characteristics affect both the quantity and the quality of special education services provided by the LEA. One important variable is the public schools priorities and commitment to educating the handicapped. Some communities, for example, view this as a private, rather than a public, responsibility.

The size and type of a district will have a tremendous influence on its education of the handicapped. Some small districts may have a great deal of difficulty in implementing P.L. 94-142, primarily because they have small numbers of handicapped children. It will not be economically feasible for such districts to hire the trained personnel needed to educate these children. Some large, inner-city LEAs may also have difficulty in implementation because of the very large numbers of handicapped pupils in these districts and the limited resources available to educate them. Many urban districts are faced with eroding tax bases, rising labor costs, and shrinking rather than growing budgets. Such districts also have very large bureaucratic structures in which children may become "lost" for varying periods of time.

Closely related to the size of an LEA is the type of community it serves: urban, suburban, or rural. Other things being equal, "smoother" implementation of P.L. 94-142 can be anticipated in suburban districts. The reasons for this are found in many of the other variables that operate at the local level: size, wealth, the influence of external groups, and the professionalism and organizational structure of the LEA. Suburban districts are usually neither too small nor too large; they are generally wealthier than are most rural or urban districts; parents of the handicapped tend to be relatively well educated and well organized; there is a high degree of professionalism among LEA personnel; and the lines of authority and responsibility within the LEA are clearly drawn in most cases.

The homogeneity of an LEA is a very important determinant of special education services in some states. Wilken and Callahan (1976) found that in Maryland, for example, differences in district wealth had a far less pronounced effect on special education services than in Massachusetts. School districts in the former are county-based; hence, local differences in special education services tend to be washed out. In the latter, on the other hand, districts are relatively small and homogeneous; differences between districts therefore

tend to be emphasized.

Wealth and tradition also explain the type and quality of services provided to the handicapped. Wealthier districts generally will provide more and better services than will poorer districts, although there are many exceptions to this r le. If a district does not have a tradition of educating the handicapped, programs will be limited during the initial stages of implementation of P.L. 94-142 than if the district has such a tradition. LEA leadership will be instrumental in the former case: if superintendents and other administrators are committed to special education, programs will probably be established more quickly than if there is no such commitment.

Informal linkages are as important at the LEA level as they are at the SEA level. Communications within the LEA and between the LEA and other agencies are necessary if services are to be provided to the handicapped; such communications may be more effective if they are informal than if they are formalized.

LEA Thruputs

Implementation of P.L. 94-142 at the local level is affected by a number of thruputs: external influences, local governance, LEA role players, LEA organization structure, the technical competence of the LEA, and the specific tasks required under the Act.

External Organizations. External organizations (advocacy groups, special interest groups, and other local agencies) will often have a greater impact on the LEA than they do on the SEA. Local branches of advocacy groups (e.g., Associations for Retarded Citizens) may exert pressure on the LEA to provide full services for handicapped children. These groups can also provide assistance to the LEA, particularly in placing handicapped children outside the LEA or in providing supplementary resources for those children whose primary placement is within the LEA. In some districts, these groups actually operate programs for the handicapped.

Teachers' unions also influence relevant decisions made by the LEA. Union contracts often specify such things as maximum class size and salaries of teachers, both of which serve to limit the resources available to the LEA; the number of handicapped children who can be placed in a single regular classroom; and additional preparation time and in-service training for teachers who have such children in their classes.

Parents of handicapped children are also a strong influence on the education of the handicapped at the LEA level. Other groups of parents may also exert pressure at the building and classroom levels to increase the services provided to nonhandicapped children, e.g., to provide more individualization. Local level educators may be faced with conflicting demands for scarce resources.

The non-public school sector, including church-related schools, may also be an important influence on LEA decision-making if they provide services to the handicapped. These schools will compete with the LEA for community resources.

Other local agencies will also have an effect on the LEA's provision of services to the handicapped. Such agencies traditionally have provided many services to different groups of handicapped children (e.g., the local mental health unit may provide therapy and other services for emotionally disturbed children). Because the LEA now has the legal responsibility for these children services that were previously provided at "no cost" to the LEA could be withdrawn or charged to the LEA.

Local Governance. Local government will influence not only the LEA organizational structure but also the LEA role players. Local politicians can pressure the LEA to improve services; they can also support an LEA's efforts in the face of opposition from outside groups. The local government generally has the responsibility for raising money to finance education, and hence can control to a greater or lesser degree both the structure and the personnel of the LEA.

LEA Role Players. Many of the statements made above about SEA role players can be applied to LEA role players. An individual's needs, preferences, professionalism, group affiliations, and attitudes will all influence performance.

Administrators' career goals and preferences can have great impact on how P.L. 94-142 is implemented. Their exposure to special education will greatly influence their preferences when discretionary choices have to be made about educating the handicapped generally or about individual handicapped children. Administrators who understand the problems of the handicapped will tend to be disposed to making decisions that will aid such children. Of course, this can work to the advantage of some children at the expense of others. As

Weatherley and Lipsky (1977, p. 194) found, LEAs often evaluated and placed children whose handicaps allowed local personnel to practice their specialties. Thus an administrator with a background in evaluating and educating the retarded might push services for retarded children while possibly ignoring children with other handicaps.

The professionalism of LEA role players affects both the quality and the quantity of special education services. Trained, committed personnel will direct their energies toward providing quality services, but inadequatley - trained personnel may be unable to do so.

Informal group affiliations at the LEA level will influence the type of services that are made available to the handicapped. If special education personnel are well integrated with "regular" components of the LEA, role players' affiliations will be less likely to be based exclusively on their specialization; hence they will be able to call upon other LEA personnel to provide services to the handicapped. If special education is segregated from the other components o the LEA, however, informal links will tend to be strongest among special education personnel, who will thus not have easy access to other services for the handicapped. Communications will often be easier in this latter case with external groups than with other elements of the LEA.

LEA Organizational Structure. The LEA organizational structure operates with the role players to effect the implementation of P.L. 94-142. In general, this authority structure is designed, as it is at the SEA level, to reduce uncertainty, to assure equitable resource allocation, and to facilitate the accomplishment of procedural tasks. Elements of this structure may be more susceptible to external pressures at the local level than at the state level, particularly in the allocation of resources. School budgets are subject to the approval of an agency outside the LEA, either the local governing unit (e.g., the city council) or the voters. This is the ultimate form of control at the local level.

The superintendent is a vital element in the education of the handicapped; he/she makes many of the resource allocation decisions in the district. This may become a factor in the implementation of P.L. 94-142, especially if the superintendent has to take resources away from existing programs to meet the mandates of the Act.

How the LEA complies with the provisions of P.L. 94-142 will also depend upon the perceived SEA sanctions and incentives for compliance, much as SEA

compliance depends in part on perceived sanctions and incentives emanating from the Federal level. During the first year of implementation (1977-78), about $35 per handicapped child was allocated to LEAs, which may not regard the loss of these funds as a major sanction. As the money flowing to the LEAs increases, however, the possible cutoff of funds will become an important incentive to compliance.

States often lack the machinery to enforce policies at the LEA level. A state may not have uniform accounting systems or, if it does, it may not have sufficient personnel to monitor LEA expenditures for special education services. The threat of lawsuits by parents or advocacy groups may more effectively serve as a sanction against non-compliance for many LEAs, particularly where parents have easy access to lawyers.

LEA Technical Competence. An LEA's "technical competence" will greatly influence the implementation of P.L. 94-142. This comprises administrators, the staff of regular teachers and special education teachers, the support services available (e.g., psychologists, audiologists, etc.), and the amount and quality of in-service training available.

Although an LEA's technical competence is in large part influenced by the amount of money the district has available to spend for qualified personnel, other factors over which an LEA has no control are relevant. One is the quality of teacher training institutions in the state and whether the programs in these institutions provide the training that LEAs require to implement P.L. 94-142. Another factor is SEA requirements for teacher and administrator training and licensing. It is "easier" to become a teacher in some states than in others.

LEA Tasks. P.L. 94-142 mandates specific tasks that must be performed; although the SEA has de jure responsibility for carrying out these tasks, they have become the de facto responsibility of the LEA. The tasks can be roughly classified as administrative and programatic, the distinction being that the latter directly affect the services that will be made available to the child:

Administrative

- free appropriate public education
- childfind
- due process and confidentiality

Programmatic

- nondiscriminatory testing
- Individualized Education Program
- least restrictive environment

Outputs

Four major outputs can be identified at the LEA level: consequences, an evolving program, "satisficing," and organizational maintenance. Over time, the special education program will change, moving to higher stages of development. The LEA will not be able to consider all alternative courses of action to implementation of P.L. 94-142 and then choose the one alternative with the most favorable consequences. Rather, the LEA will select that course of action that is "good enough," i.e., that satifices (see Allison, 1971, p. 72). The LEA will also be concerned with maintaining itself as an organization. That is, school district personnel are unlikely to make decisions whose end result will put the LEA or a part of it "out of business."

The consequences, which we have classified into four categories--resource allocation/utilization, organizational structure/administration, roles/behaviors, and attitudes/perceptions--are the primary focus of this Case Study.

Utilization of the Model

The model presented in the preceding pages is an explanatory, rather than a research, model. It provided the basis for our study questions, and also provided a framework for our analysis of the data from the different sites.

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CHAPTER II

STATE A

The Context

Demographic Characteristics

Population. State A is a medium-size state; its 1976 population was slightly greater than 3.1 million, which was in the second quartile of states. The population has been increasing since the 1940's, but the rate of growth has been decreasing. State A's population is fairly dense -- more than 640 residents per square mile.

There were about 190,000 blacks in State A in 1975, approximately 6% of the total population. There are also a small number of Hispanics in the state.

Urban/suburban/rural mix. There are 15 urban districts in State A, 86 suburban, and 48 rural, based on Census Bureau definitions. Approximately 88% of the population lives in metropolitan areas, which include urban areas and the associated suburban areas. The remaining 12% live in nonmetropolitan areas.

Wealth. State A is one of the wealthiest states in the nation. Its per capita income of $7,373 in 1976 ranked among the top five states. State A also has one of the lowest poverty rates in the nation: about 6% in 1975, compared to 11.4% for the country as a whole.

There is a tremendous range in this wealth among the school districts, however. One measure used by the state to determine a district's ability to pay for education has a range of about $5,000 per pupil to almost $103,000 per pupil; the median is $17,430. The tax rate also has a tremendous range: from less than 4 mills to over 33 mills. The state median is about 13 mills. This inequity in wealth was the basis for a recent court case that challenged the state's school financing formula. As a result of this decision, the legislature is developing a new system for school finances.

School enrollments. There were about 640,000 pupils enrolled in the 1,116 public schools of State A in 1975-76. An additional 93,000 were enrolled in private schools, primarily church-related schools.

There were about 62,000 black pupils in the public schools, and 29,000 Hispanics. The majority of these pupils are concentrated in fewer than ten districts, and 90% of the minority pupils are located in 28 districts.

Public school enrollment in State A peaked in the early 1970's, and has been declining ever since. By the 1977-78 school year, enrollment had dropped to 604,000. Minority enrollment has been increasing throughout the 1970's. Private school enrollment has remained fairly stable over the past few years, however.

School expenditures. Total expenditures for the public schools in State A were $1.06 billion in 1976 and $1.19 billion in 1977. More than two-thirds of these monies came from local sources (over $700 million), slightly more than one-fourth from state sources (about $285 million), and only 4% from Federal sources ($42 million) in 1976. The statewide per pupil expenditure was $1,741, with a range from about $900 to almost $2,200.

School districts. State A has 165 school districts: 150 towns, nine regional districts, and seven regional high schools. These districts range in size from 100 students to 29,000, and from one school to 46 schools.

Governance/Executive Branch. Although the governor appoints the members of the state board of education, the present governor has only recently given close attention to special education. This attention is the result of a suit against one of the state-run mental retardation facilities.

Legislature. The legislature has taken an increasing interest in education over the past few years, particularly the issue of funding (spurred in part by a court decision that found the state's funding formula to be unconstitutional). The legislature also requires state review of all regulations developed by an agency. Thus, if the SEA drafts new regulations, they must be reviewed and approved by the state attorney general, by the state board of education, and by the legislative regulations review committee. One result of this long process is that the SEA tends to promulgate fairly general regulations, and then issues guidelines with more specific details; these guidelines can be changed more quickly than regulations if the need arises.

The two houses of the legislature have a joint education committee, comprising five members from the senate and 25 from the house. This committee is quite powerful: one legislator is now senior partner in a law firm that represents many of the parents of handicapped children who have instituted due process proceedings against LEAs.

Members of the legislature have recently become interested in special education because of the funding issue.

State board of education. State A has a nine-member state board of education. Members are appointed by the governor for overlapping three-year terms. The board has not had much of an impact on special education to date. They appear to be less concerned with funding and costs, and more concerned with providing adequate and appropriate services for all children.

Legal Environment

State law. State A's special education law was passed in 1966, and became effective in July 1967. Special education is mandatory for all handicapped children ages 4 to 21 (3 to 21 for deaf and hard of hearing). This law has been amended several times since its passage, and is similar to P.L. 94-142 in most areas (although it does not mention the concept of least restrictive environment). Prior to 1978, the law did not include the severely and profoundly handicapped under its coverage; amendments in 1978 have extended coverage to include these individuals.

The local hearing process has been changed. Prior to 1978-79, local school boards functioned as hearing officers, although this was determined by BEH to be contrary to the P.L. 94-142 requirement of impartial hearings. Now, administrative reviews have replaced local hearings. The initial step in the old process was either a local hearing or mediation conducted by the SEA; the next step was appeal to the state level. The new process provides initially for administrative review at the local level, which involves a review of a child's records by the local school board, with no oral comments from LEA staff or from parents, although written comments from both are often provided. Appeals of the results of this process go to state-level mediation or to state-level hearings.

Prior to these procedural changes, State A, a pioneer in the use of mediation, had resolved most appeals through mediation rather than formal hearings. The number of state-level hearings increased dramatically in fall 1978 after the new procedures went into effect. During the first months of the 1978-79 school year, there were as many hearings per month as there had been in each of the two preceding years. SEA staff feel that this increase is in part a reaction against

parent non-involvement at the local level.

Rules and regulations. In September 1978, the State A board of education issued an intent to adopt new special education regulations. These regulations will bring state special education practices into conformity with P.L. 94-142 and regulations. Least restrictive environment is defined, and LEAs are required to educate handicapped children in such a setting. Special education is to be provided for all handicapped children until they reach age 21, and is to include preschool education. The new regulations also include a mechanism for SEA monitoring of LEAs to ensure compliance. The SEA will not enforce these regulations until fall 1979 to allow time for inservice training for LEA personnel.

The SEA is in the process of developing regulations for surrogate parent procedures. The SEA has also worked with the department of mental retardation to develop regulations for its new special school district. These regulations have been sent to the legislature for review.

Special Education Performance Record

Programs and Services. State A's special education programs have grown dramatically since the state law was implemented in 1967. Programs are provided for all exceptionalities, and from preschool to secondary level, up to age 21. 1978 amendments to the state law expanded these programs to include the severely and profoundly handicapped. The gifted and talented are also included within the state's definition of exceptional.

Enrollments. Enrollment is State A's special education programs has nearly doubled since 1970 -- from 42,000 in 1970 to over 76,000 in 1977. The largest number of children are enrolled in programs for the learning disabled (more than 23,000 in 1977, up from 8,3000 in 1970), for the speech impaired (19,500 in 1977, up from 13,100 in 1970), and for the socially/emotionally maladjusted (14,600 in 1977, up from 8,200 in 1970). Throughout the 1970's, about 94% of these children have been enrolled in the public schools. From 1972 to 1975, enrollment in special education as a percentage of total public school enrollment increased from 4.5% to 10%.

Expenditures. Expenditures for special education in State A have risen even more dramatically than have enrollments. n 1975, total expenditures from

all sources (Federal, state and local) amounted to $57.6 million. By 1976, this had grown to $83.2 million. During this period, special education expenditures as a percentage of total education expenditures increased from 1.7% to 8.8%; annual increases in expenditures never fell below 14%.

State aid for special education has grown from $15.1 million in 1970 to $39.9 million in 1977, and from 38% of total expenditures for special education in 1970 to 44% in 1976.

SEA-Federal Relations

Annual Plan. State A's Annual Plan for 1977-78 was approved for full-year fundings after local review procedures were changed and monitoring procedures were developed and implemented. The 1978-79 Plan also received full approval.

Communications with BEH/special linkages. The SEA in State A maintains good relations with BEH. The state has participated in several BEH-sponsored studies related to special education over the past few years.

Points of contention. BEH objected to State A's local hearings procedures because board members served as hearing officers. The legislature changed this procedure in the 1978 session. The SEA's program review procedure (see below, Monitoring) was too detailed and complex to permit the SEA to monitor all LEAs; hence, a less comprehensive compliance review procedure was developed to meet BEH requirements.

SEA Role Players

State Superintendent

The State A state superintendent (commissioner) is appointed by the state board of education. The present commissioner was appointed in 1974. He keeps well informed about special education issues and programs through frequent meetings with SEA special education staff, through the general counsel's office (which handles hearings), and through the very active special interest groups representing local administrators.

State Director of Special Education

The State A state director of special education is chief of the bureau of pupil personnel and special educational services within the division of

instructional services. From June to November 1978, this division was headed by an acting chief, who assumed that post when the previous chief became associate commissioner for instructional services. The new chief, who was formerly director of the state resource center, took over the bureau in November 1978.

SEA Organizational Structure

General Structure

The State A state department of education comprises four divisions, each headed by an associate commissioner: instructional services, administrative services, vocational education, and vocational rehabilitation. There is also a separate internal management division, headed by a division director. Special education is housed within a bureau of pupil personnel and special educational services, part of the division of instructional services. (An organizational chart is presented in Exhibit I.

Special Education Structure

The special education bureau within the State A state department of education is being reorganized to comprise five sections: due process activities, technical assistance, program review and compliance monitoring, administration of Federal programs, and the special education information system. State special education resource centers are connected with the bureau. (An organizational chart is presented in Exhibit II.

State A's special education focus can be illustrated most clearly by the staffing of the various sections within the special education bureau. There are three full-time professionals plus hearing officers in the due process section; three professionals in the information system section; five professionals in the program review and compliance monitoring section; five professionals in the administration of Federal programs section; and eleven professionals in the technical assistance section.

Intra-agency Linkages

Although the special education bureau, the division of vocational education, and the division of vocational rehabilitation are all within the State A state

EXHIBIT 1: STATE A ORGANIZATIONAL STRUCTURE

STATE DEPARTMENT OF EDUCATION

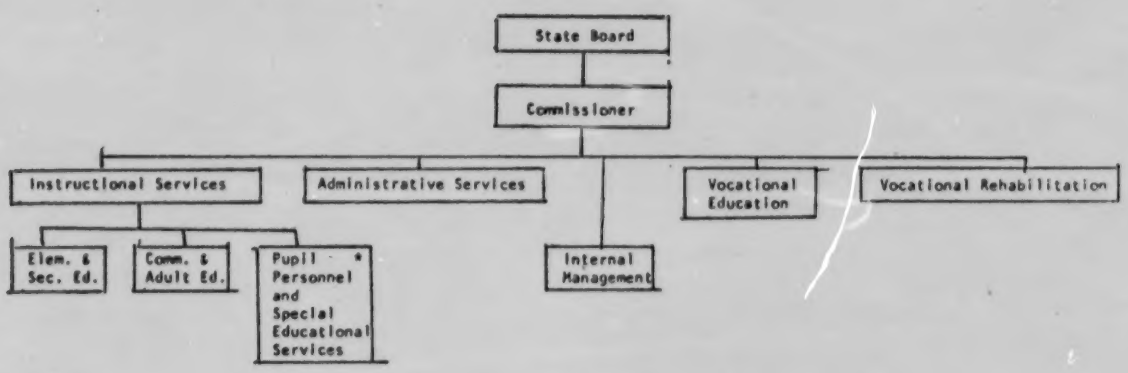
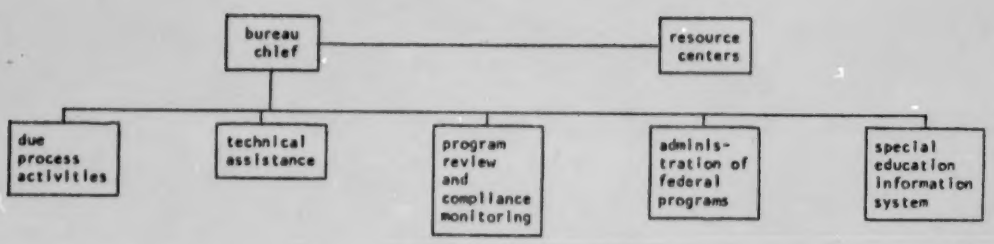


EXHIBIT II: ORGANIZATIONAL STRUCTURE, STATE A
BUREAU OF SPECIAL EDUCATION



department of education, there has been minimal communication among the three units. In 1978, however, the legislature passed a bill that established special education within the state's regional vocational-technical schools.

External Organizations

Advocacy Groups

The Association for Children with Learning Disabilities (ACLD) is active in State A. Their major activity has been a parents' assistance program, which aids parents in obtaining the right educational programs for their handicapped children. Their group supplies assistants who advise parents, attend meetings with parents and school officials, etc. The Association for Retarded Citizens has been active in lobbying for legislation, as well as providing information and support for parents.

The state legal aid society has provided technical assistance to parents concerning P.L. 94-142. They have sued the board of education in at least one district to force full implementation of the Federal law.

Special Interest Groups

The state-wide teachers' union has been very active in State A. They have advocated changes in teacher contracts to take account of increased numbers of handicapped children in regular classrooms, to provide for released time, and to provide substitute teachers to cover during special-education-related meetings.

Several state school administrators' organizations are also very active. The state association of special education directors, for example, has a lobbying network; the association has opposed the SEA's proposed IEP format to such an extent that it may be impossible to implement this document. Members have met with SEA officials to discuss the special education information system, and have met with lawyers to discuss the legal implications of the Federal law. The state association of secondary school principals has run a conference on P.L. 94-142. The superintendents' organization is also active.

The state school boards' association is active. They have expressed concern about the special education information system and about student confidentiality issues.

Other State Agencies

Several agencies outside the state department of education provide services to handicapped children in State A, including the department of mental retardation, the department of children and youth services, and the department of corrections. A 1977 bill passed by the state legislature established a separate school district within DMR; earlier legislation established school districts within DCYS and within Corrections. These special school districts meet the requirements of P.L. 94-142 that the state department of education supervise the provision of educational services to handicapped children. Additionally, some children who have been served by DCYS and by DMR are now being absorbed by the LEAs.

The state board for the blind is responsible for about 450 children in public schools throughout the state. More frequent communication between the board and the SEA has been initiated. Almost 800 pupils are served by the special school district in the department of corrections; about 400 are served by the district in the department of children and youth services. The department of children and youth services also serves about 30,000 children through 12 district offices.

Other Private Agencies

Many private groups also are active in providing services to handicapped children. For example, several hospitals have expanded their assessment and diagnosis services in part because of increased parent awareness of their rights to such services. Physicians from a large medical center have met with other professionals (e.g., social workers, school nurses) to discuss their roles in planning for young children.

Outputs to LEAs

Funding

Under the current funding formula for special education in State A, the state reimburses LEAs for two-thirds of the net excess costs of educating handicapped children. To obtain the net excess costs, a district's total costs

for special education are reduced by the amount paid for such education by other sources (Federal, state and private), and by the district's per pupil costs multiplied by the number of pupils whose intruction is primarily in special education.

According to officials, net excess costs are determined. The state reimburses LEAs for up to two-thirds of the educational costs for special education pupils without determining what portion of that amount is for special services. The average reimbursement is approximately 50%.

A 1977 court case determined that State A's equalization program for education in general violated the state constitution; the court ordered the legislature to devise a new method for funding by May 1979. An advisory panel recommended that the state mandate a minimum level of spending for each student. The 1979 session of the state legislature will work out a method for financing this plan, which will increase state support by about $40 million per year.

There has been a controversy over who is responsible for paying for children placed outside LEAs, e.g., in DMR or DCYS facilities. A 1977 law makes LEAs responsible for average per pupil costs and transportation for children in DMR facilities (either day or residential). If children are placed in DCYS facilities, the LEA is responsible for costs only if the children's primary problems are eductional.

Technical Assistance

The major function of State A's state department of education in the area of special education for many years has been to provide technical assistance to LEAs. Staff in the SEA are called consultants. They answer phone requests from LEAs, and occasionally make visits to LEAs to assist them in developing procedures for special education programs. The SEA generally does not initiate these visits because of a shortage of staff. The SEA also arranges regional meetings every fall. The SEA plans a series of such meetings in Spring 1979 to familiarize LEA officials with the new special education regulations.

Inservice training is also provided. A professor from the state university was hired by the SEA to conduct six regional meetings on IEPs. The SEA has determined that regular teachers also need inservice training to develop IEPs.

The SEA also provides technical assistance for parents. They are in the process of developing a formal procedure for dealing with parent requests.

Monitoring

State department monitoring of LEAs now has two parts: program review and compliance review. Each LEA in State A is reviewed for compliance once every three years. Program reviews are more complex and more time consuming, and hence are conducted on a less broad scale -- in large LEAs, and in LEAs found to need further review following a compliance review.

The compliance review addresses the major assurances contained in P.L. 94-142 and in the state special education law:

- o Child indentification
- o Parental involvement in the special education process
- o Confidentiality and access to records
- o Evaluation
- o Planning and placement teams
- o Least restrictive environment
- o Administration.

Date are collected on these eight areas from (a) documents sent to the SEA by the LEA; (b) questionnaries and (c) one-day site visits.

There are nine steps in the compliance review:

1. selection of LEAs to be reviewed (60 LEAs not subject to program review are selected each year to yield a stratified random sample).
2. notification of the LEAs by the SEA, which includes a request for specific documentation and questionnaries to be completed by designated LEA staff;
3. preparation of documents by the LEA;
4. review of documents by the SEA;
5. one-day site visit, which includes examination of a random selection of student folders and interviews with LEA administrators;
6. final report, which addresses only those areas where there is evidence of non-compliance;
7. preparation of a compliance plan by the LEA, which includes specific actions to be taken and timelines for their completion; and
8. follow-up and technical assistance.

The SEA has developed a documentation package for use by LEAs in submitting materials to theSEA, and instruments for use by the SEA during the site visit.

The program review is more complex and more time consuming than the compliance review. A total of 14 instruments have been developed for this precess, which involves 21 steps:

1. notification of the LEA by the SEA;
2. selection of the program review team;
3. designation of LEA contact person;
4. pre-review meeting between LEA contact person and program review team to (a) distribute forms, (b) distribute questionnaires, (c) collect documents, (d) randomly select children's folders for review, (e) select site visit days, and (f) answer questions about the program review process;
5. selection of stratified random sample of handicapped children for review of folders;
6. selection of parents of handicapped children for interviews;
7. bridfing of LEA personnel by contact person and collection of documents, folders;
8. completion of questionnaires by LEA staff;
9. SEA review of LEA documents and student folders, interviews with parents;
10. site visit, which includes interviews;
11. SEA staff summarize date from questionnaires, interviews, other instruments;
12. SEA prepares topical reports in eight areas: (a) administration, (b) child identification, (c) confidentiality of records, (d) early childhood, (e) parent involvement, (f) IEP/planning process, (g) program delivery, (h) transportation;
13. further data collection for verification or additional investigation;
14. draft report reviewed and revised;
15. draft final report prepared, presented to LEA contact person;
16. LEA contact person reviews draft report;
17. final report formally presented to the LEA;
18. LEA responds in writing, addressing each non-compliance area with a time-line and corrective actions;

19. final report and LEA response become a public document;
20. SEA provides technical assistance as necessary; and
21. follow-up proceeds as specified in the final report.

Each of the eight areas addressed in the final report may be cited for commendation, problems, or noncompliance.

Direct Services

The SEA operates six regional service centers that provide some special education services to LEAs. Among these services are child find, diagnosis/evaluation, inservice trainning, curriculum development, and materials development.

The state also maintains a computerized special education information system. There are still a number of problems in this system, however, including inconsistency in reporting among LEAs and issues of confidentiality. This system was first utilized in 1977-78. The SEA collects data on individual children, including time spent in special programs.

The state funds 23 regional special education programs that serve groups of smaller communities. Since these programs were first set up in 1965, the state has spent $12.7 million to provide programs for about 2,400 handicapped pupils who might otherwise not have received services.

Services to private schools. State law provides for support services for private schools in State A. These funds, which are not administered by the SEA but by a social service agency, go to local communities to hire consultants in social work, psychology, and speech and hearing; these consultants are available to private schools.

Private schools also have access to the regional centers for diagnostic services. LEAs can include in their child counts handicapped children in private schools for whom IEPs have been prepared. These children are not counted for purposes of state reimbursement, but only for P.L. 94-142 pass-through funds.

Private placements. A recent amendment to State A's special education law requires LEAs to justify private placements of handicapped children, every two years for out-of-state placements, every three years for in-state placements. Before they can be reimbursed for the cost of these placements, LEAs are required to make placements only in SEA-approved facilities.

In 1976-77, over 2,700 handicapped pupils were educated in private facilities,

primarily within the state. This dropped to 2,640 in 1977-78; the number of out-of-state placements increased from about 200 to 300.

CHAPTER III
CASE STUDY OF SITE A.1

Case Study Organization

I. THE CONTEXT
   - A. DEMOGRAPHIC
   - B. WEALTH
   - C. GOVERNANCE
   - D. LEA ROLE PLAYERS
   - E. INTERNAL BUREAUCRATIC INTERFACE
   - F. EXTERNAL ORGANIZATION

II. THE SPECIAL EDUCATION PROGRAM
   - A. ORGANIZATION/PRIORITIES
   - B. SERVICES AND PROGRAMS PROVIDED
   - C. STUDENTS SERVED BY CATEGORY
   - D. BUDGET

III. IMPLEMENTATION PROCESSES
   - A. SPECIFIC CONSEQUENCES
   - B. GENERAL CONSEQUENCES

I. THE CONTEXT

A. DEMOGRAPHIC

This urban district is in one of the largest populated cities in this small, urban state. It has a large population of government workers, as well as industrial employees. A relatively small city in land area (18 square miles) and population (approximately 160,000), this urban area nevertheless has most of the problems of its larger counterparts. Its population has been declining over the past 5 to 10 years, while the percentage of minorities increased. In 1976 the in-city school population was approximately 27,000 of which over 75% were minority pupils (Black, 45%, and Hispanic, 30%). The total school population declined almost 5% in 1976. As the minority population is a large portion of the school population, it is not surprising that this group saw a 3% decrease in the same time period. Both percentages reflect a national trend of increasing minority population in urban schools, with a simultaneous overall drop in the number of students in school.

District A.1 has 30 regular school buildings of which 25 are elementary, two middle and three high schools. (Special schools are not included in that count but are discussed in the Special Education section below.) Of that number, eight participated in this study.

B. WEALTH

The one way to determine wealth, poverty level and local resources for an LEA in State A is to rank the district on the state scale for equalizing education dollars. As part of its equalization formula, the state determines each district's ability to pay for education costs through a formula which includes a town's property wealth and income level. This urban district ranks in the bottom quarter, i.e., its tax base is below the guaranteed tax base. The A.1 school tax rate, (i.e., the "locality's willingness" to pay for education) is also ranked in the lower quarter.

The A.1 per pupil expenditure in 1976 was approximately $2,000. The total in Federal grant payments received by the district in the 1976-77 school year was approximately $5 million dollars; state grant payments exceeded $13 million with over $2 million of that reimbursement for special education costs.

C. GOVERNANCE

School Board

The district has nine school board members who serve six year terms and are elected on a staggered basis in city wide elections. School board members are elected at-large and subsequently do not have strong power bases. The LEA held a board in-service on P.L. 94-142 in 1976; because few members attended, another "in-service" had to be held later in 1978. The city council receives most state and federal dollars and reallocates the funds to the board; only P.L. 94-142 funds go directly to the board. Furthermore, the council can cut funds; the board determines allocations. The board has no tax levying powers; those too rest with the council.

Perhaps because of this structure, the relationship between the city council and the board is strained. For the past few years, board budget submissions to the council have been significantly cut.

Local Governing Body

The city council is a nine member board chaired by the mayor. Its members are elected for two year terms. There is an education subcommitte which reviews school board budget requests. The city also has a city manager.

D. LEA ROLE PLAYERS

Superintendent/Deputy Superintendent

The superintendent is appointed by the school board on a three-year contract. In the 1977-78 school year, the board did not renew the superintendent's contract, which resulted in protests by the black community. A new Hispanic superintendent was appointed in early 1979. Although the former superintendent was supportive of the special education programs in the district, he was also interested in managerial matters (e.g., principal autonomy).

Decisions made by special education central office staff are not always implemented by the principals. Central special education office staff at times seem to be in a somewhat awkward position due to this policy. For example, the principals asked the superintendent to chair a meeting between principals and special education staff in Spring 1978. The superintendent, central office staff, and principals discussed P.L. 94-142 and sharing responsibilities for special

education programs and procedures. Special education central staff were then assigned the responsibility of preparing standard documents desribing the Group Planning Team (GPT) meeting and IEP development "to ease the principals' paperwork burden."

The superintendent's office has been very supportive of the central office staff during a class action suit brought by the legal aid society against the LEA, refusing at one point during the negotiations to allow a grand marshall to monitor special education programs in the LEA. The superintendent's office also generaliy supports the special education budget requests sent to the city council.

A deputy superintendent is chiefly responsible for the LEA budget, management information, transportation, buildings, and food services. Two assistant superintendents, one for elementary and one for secondary, are in charge of supervising the building principals and staff (see Exhibit A-1).

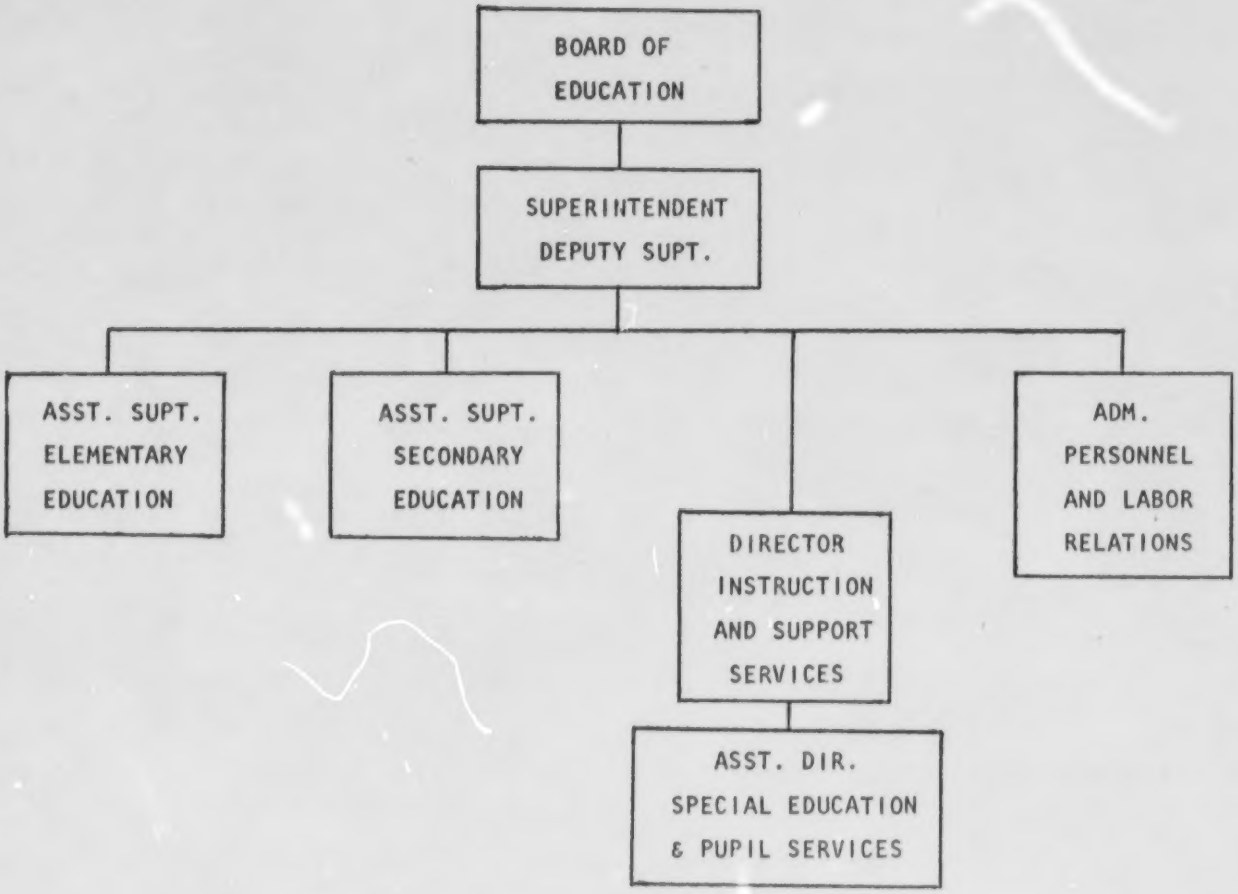
Central Office Personnel

Formal shifting of central office staff has occurred over the past two years in response to an Office for Civil Rights directive requiring the district to submit a plan to bring its special education services into compliance with Title VI of the Civil Rights Act of 1964. The organizational structure illustrated in Exhibit reflects changes to improve evaluation services, monitoring activities, and parent involvement. The director of the instructional support services office answers to the superintendent. A former school principal, the director is a strong advocate of special education and support services, although he gives the Assistant Director much discretion over special education and pupil personnel services. The assistant director was only recently assigned this position, which has been held by three people over the last three years. The assistant director, the former principal of an elementary school, has been in the dist ict less than 10 years and was selected for the position partly due to a strong, administrative background. Although not shown in the organizational chart, there are several divisions under the assistant director. Those of most interest to this study are discussed in some detail below.

Support Services

A central office special education staff member with long tenure was assigned total responsibility for a support services cluster in the 1977-78 school year.

EXHIBIT A-1: ORGANIZATION OF DISTRICT A.1
(MODIFIED)


BOARD OF EDUCATION
SUPERINTENDENT DEPUTY SUPT.
ASST. SUPT. ELEMENTARY EDUCATION
ASST. SUPT. SECONDARY EDUCATION
DIRECTOR INSTRUCTION AND SUPPORT SERVICES
ADM. PERSONNEL AND LABOR RELATIONS
ASST. DIR. SPECIAL EDUCATION & PUPIL SERVICES

The support services coordinator chairs the central office planning team which reviews all referrals for outside placement and is responsible for notifying parents and other participants of these meetings; approves payments for and monitors residential and day outside placements; monitors IEPs; approves schedules and coordinates transportation.

Language, Speech, and Hearing Department

Another coordinator supervises diagnostic and habilitative services to hearing, language, and speech handicapped children and consultative services to parents and teachers. The staff of this department includes language, speech and hearing clinicians, who may serve as itinerant staff at schools.

Guidance and Health Services

One coordinator manages the guidance and health services, aided by an assistant coordinator in charge of psychological services. In the 1977-78 school year, the district had three guidance department chairpersons, who were responsible for guidance services in grades 7-12. Twenty high school counselors, 12 middle school counselors, and 16 counselors serve in special and elementary programs such as ESEA Title IV B, alternative centers, and gifted and talented. In 1977-78, the guidance department suffered a 25 percent decrease in staff, which lowered the counselor/student ratio to 1 to 300. Guidance counselors are assigned full-time to individual schools.

The health department had 31 nurses, 13 other semi-professionals (dental hygienists, nurses aides), two FTE doctors, and a part-time dentist. In 1977-78, four staff positions were eliminated; remaining staff were reassigned on an itinerant basis schedule to schools.

There are 16 psychologists serving Special Education in the 30 schools, the two diagnostic centers, an alternative secondary program, and the non-public schools. In the 1977-78 school year, the psychological staff was reduced by 50% to its present size. The psychologists with dual or multiple certification were given the choice of termination or reassignment to another area of certification. Some have left the system. To accommodate the reduction in staff, the psychological services department was reorganized. Rather than being assigned to schools, the psychologists, under the direction of the Assistant Coordinator of

Psychological Services, were assigned to the three Special Education clusters, each of which encompassed approximately one-third of the total school population. The psychologists' tasks were principally limited to assessment of students who may be in need of Special Education services, reassessment of Special Education students and participation in referral and pre-referral meetings. Consultative and preventive services to students, parents and teachers have been dropped. In the 1978-79 school year, psychologists were reassigned to specific schools, with several schools covered by each psychologist.

Social Work

This department is managed by one coordinator who provides supervision for 40 social workers serving 30 schools, 2 diagnostic centers, 8 non-public schools, a pre-school and a teen-age parent program. Social workers counsel parents and children, try to achieve effective communication between the home and school and from their knowledge of community resources, refer parents and children to them where appropriate.

Within the GPT, the social worker prepares a developmental-social history for each child being evaluated, receives referrals of pupils from the team for social work intervention or implements referral to outside agencies when prescribed in IEPs.

The department also includes six Parent Aides who serve as liaisons between homes and five elementary and middle schools.

Special Education

Three cluster coordinators manage the special education school programs under the direct supervision of the assistant director. The coordinators were all formerly special education instructors or psychologists. They are responsible for monitoring all programs for special education children in schools, for special education teacher supervision, and curriculum development. In the 1977-78 school year they were simply assigned children by disability; in 1978-79 they were assigned certain schools with each coordinator responsible for 10 schools. They review all diagnostic packets on children referred for special education placement. If packets are incomplete they return them to the schools for more information; they suggest placement for a child, determine classroom needs in various buildings, and generally oversee P.L. 94-142 implementation in the district.

In the 1977-78 school year four new central staff were added. These staff have been employed to work with the cluster coordinators and assist schools with IEP development; they actively participate in school group planning team meetings (GPTs), and help plan inservice training sessions for special education and regular staff.

As in many districts, the special education central office and building level administrators have overlapping tasks. Special education central office staff recommend the hiring of special education instructors, initiating special education programs in new classrooms, and keeping special education instructors informed of district, state, and Federal procedural requirements. Building principals have managerial authority over their teachers and classrooms and therefore also participate in hiring and program decisions. This overlap occasionally causes conflicts between the building and program administrators.

There are two programs that are the dual responsibility of the appropriate Assistant Superintendent and Assistant Director of Special Education and Pupil Personnel Services. The first is an Alternate Education Center which services high school emotionally- and socially-maladjusted students as well as other students not identified as special but needing additional services. A special education coordinator manages this program. The second is a program for trainable-mentally retarded children housed in a separate school facility. A special education coordinator (not previously included) oversees this program as well as two special programs for elementary school age emotionally disturbed students.

Two other programs, which service some special education students but which are the responsibility of the Assistant Superintendent of Schools are: 1) Alternate Education Centers which serve secondary school students who are unable to cope with regular school programs; 2) Home Instruction Programs which service students who have a certified medical disability or those who are waiting for special education placement.

As special education students can not be expelled, many who have difficulty in regular high school buildings are recommended for alternate education or home instruction.

Building Personnel

In the 1976-77 school year, there were over 1,700 full-time non-administrative personnel in A.1; over 60 percent were female and had master's degrees.

Teaching personnel exceeded 1,800; one-third of that number were minorities.

At the secondary level, schools have one principal and from one to four vice principals depending on school size. Elementary schools have one principal and often vice-principals. The principals answer to assistant superintendents for secondary and elementary education. As mentioned above, they have final authority over hiring of staff and establishing programs in their building.

E. INTERNAL BUREAUCRATIC INTERFACE

Formal Linkages/Superior-Subordinate Relationship

The city council, school board, superintendent, and deputy/assistant superintendents constitute the decision-making hierarchy in A.1. The city council has more control over the school board than in most school districts, having tax levying and budget veto power. Not surprisingly, the board is in frequent conflict with the council, struggling for an appropriate share of scarce city dollars.

Within the LEA, though, closer ties do exist. The director of instructional services and the assistant director usually seem to be the primary contact with the superintendent's office; the assistant director has almost total discretion as to priorities in programming and management of staff. In fact, during recent negotiations on a class action suit, the assistant director was in frequent contact with the acting superintendent and school board lawyers.

The assistant director is in constant communication with the cluster coordinators and special education development specialists. Their relationship is one of frequent "give-and-take" when making decisions about which problems to work on first. The staff, a close, hard-working group, have worked together in the district for several years.

The assistant director seems to have less frequent contact with the health, guidance, speech and language, social workers, and psychology coordinators. These coordinators actually supervise specific staff -- guidance, health, psychologists, social workers, et al. -- and do not have the additional responsibility of developing special education programs. Subsequently, the coordinators seem more independent from the assistant director.

Most of the school building personnel work quite closely with the special education development specialists, although there are exceptions (e.g., in buildings where the principal resents the growing emphasis on special education). Other building staff complain that there are not enough special education development specialists to go around.

The cluster coordinators attempt to maintain a close relationship with the schools but have little time to visit schools. They must review, and at times return, proposed special education packets on children if such packets contain insufficient information. The coordinators, few in number, are frequently frustrated over the numbers of children they should be monitoring (over a thousand each coordinator). Secondary programs demand a large amount of their time. Also, in an urban area with student mobility, the coordinators feel they spend much of their time tracking "lost" students or "lost" records.

The morale of school building support staff -- psychologists, social workers, guidance staff -- seems low. When the special education department began reorganizing in 1976-77, the psychology staff, viewed by some as "controlling special education," was cut in half. Most psychologists are angry over the cuts, particularly since they now have time only for testing, and little for preventive and consultative services. Other support staff feel equally overworked.

The special education teachers answer to their principals and receive supervisory assistance from cluster coordinators or, in some cases the assistant director herself. While they are in frequent contact with the central office, either during meetings or in-service training sessions, they are not in frequent contact with regular teachers, especially in large schools or at the secondary level. The special education central office is beginning to group special education and regular teachers by cluster so all the child's teachers work together on programs.

Partly as a result of the OCR suit, different departments in the central office have had to work together more. The bilingual, testing, special education, and personnel departments have had to "communicate" about hiring bilingual staff and improving programs for bilingual students. The special education staff have made presentations to the reading staff, to regular teachers, and to preschool staff at various schools, about their roles and responsibilities, IEPs, when referrals should be made, and the like.

The assistant director has instituted several informal studies within the central office to ascertain the number of children served and the quality of programs, using P.L. 94-142 and the OCR directive to cut traditional organizational barriers. The assistant director asked her staff to review the records of the home instruction program for any identified or unidentified special education students. The special education department also initiated a study of the occupational education program at the high school level.

A newly established organizational link between the community and the special education department is the P.L. 94-142-required special education advisory council comprising representatives from the teachers' federation, LEA administration, pupil personnel, and special education central office staff, paraprofessionals, subject area representatives, and parents. The committee determined how Part B monies from P.L. 94-142 would be spent in 1978-79.

F. EXTERNAL ORGANIZATION

Contact with outside facilities is still somewhat limited, although greater than a few years ago. For example, the LEA hired local university staff to conduct a series of in-service sessions on P.L. 94-142, and has arranged for special education courses to be taught by another college at a location in the district to make them more accessible for teachers. Also, the support services coordinator is now responsible for monitoring IEPs for children placed in outside facilities and makes periodic visits to those agencies to check pupil progress and adherence to agreed-upon goals. Admittedly, since the coordinator is the only professional staff member assigned this task, lengthy or frequent visits to all students are difficult to make.

The district is in frequent contact with the state social service department, since many special education students are the responsibility of this office. There is still a disagreement in the state over what costs state social services should bear and which costs the district should carry. Social services had previously shared payment for out of district placements with the parents.

The LEA is in frequent contact with the state department of education, partly because of its proximity. The LEA sometimes feels like a statewide scapegoat. This past fall, over the subject of a state program evaluation, the

LEA registered a complaint with the SEA special education office arguing the SEA, when reviewing program files of special education students, did not make a purely random selection as dictated by SEA evaluation guidelines. The SEA apologized, but the incident seemed to strengthen the LEA's belief that its program is frequently under scrutiny. That belief also stems from a major confrontation in which the LEA has been engaged, a class action suit initiated by the Legal Aid Society. Although the suit has been reduced from class action to one brought by the 9 students cited in the case, the LEA is accused of not providing a free appropriate public education as required by P.L. 94-142. The suit has been long and costly both in dollars and in central office staff time. The suit had gone to federal court by Summer 1978, but the judge requested Legal Aid to backtrack and run all the cases through the established mediation and hearing structure before he would continue to hear the case. Legal Aid did so; several of the children's cases were resolved, but others added. The LEA thought that Legal Aid refused suggested programs in some instances, not because they were inappropriate, but simply because Legal Aid wanted the case to be brought to court. By Fall 1978, the case was still being negotiated; the acting superintendent and school board had rejected a Legal Aid proposal that a court expert be assigned to oversee special education programming in the LEA. As the case drags on, Legal Aid refuses to allow the LEA to talk with children or parents involved, so the LEA claims it cannot determine appropriate placements. Central office staff dislike the amount of time they must spend attending meetings and preparing materials for the case. The case, to this point, has been most disruptive, although it has brought special education problems to public and city council attention. Legal Aid activity does not stop with the suit. For example, the society is urging parents to get the LEA to pay for outside placements, some previously paid for by state youth services and parents.

Although district central office staff and special education instructors are active in various advocacy groups such as CEC, ARC, ASSW, some even serving as officers, the groups and the LEA have few formal ties. For example, none have been assigned to the LEA special education advisory committee. The special education department is coordinating an on-the-job training project with NARC for secondary-level mentally retarded students.

II. THE SPECIAL EDUCATION PROGRAM

A. ORGANIZATION/PRIORITIES

Identifying priorities is both difficult and easy in a district such as this -- easy because the district is mandated to make some changes, which become automatic priorities; difficult because all interviewees cite numerous priorities, any one of which seems valid. As described above, the special education department in A.I has five administrative components, each of which has a series of priorities from year to year, but it is difficult for staff to highlight one area as more important than another. It would appear that the OCR directive, in light of the obvious lack of staff and dollars, forced the district special education program to attend to many areas. The priorities in the A.I special education program, therefore, can be categorized as: required changes or staff-initiated changes; the recent expenditures both of local and P.L. 94-142 dollars reflect the priorities.

OCR Objectives

The special education central office staff focused on a set of priorities resulting from the OCR directive. In the 1977-78 school year they sought to have special education teachers spend at least 10 percent of their time assisting regular teachers with programs for special education students; to increase the number of staff who received in-service training on the IEP; to provide work-study programs for occupational education high school students; to determine what learning disabled children need re-testing and conduct that re-testing; and to increase in-school placements in middle and high schools, a program which did not receive much attention due to budget cuts; and to reduce the number of emotionally disturbed classes in satellite buildings.

The special education central office staff also enumerated goals for the 1978-79 school year which included monitoring the short-term goals on IEPs and developing a booklet describing special education programs. The latter has already been started.

Staff-Initiated Changes

Faced with a past reputation of insufficient programs, the district is working to dispel that image. The assistant special education director is an

administrator who has increased central office staff to track students and ensure consistent service delivery in the schools. Since the 1977-78 school year, the central office has initiated more stringent monitoring of outside placements, both costs and student progress. The office has a strong monitoring role at the central level and also at the building level.

Another central office priority is better monitoring of students placed in home instruction, and day and residential facilities. Last summer, the special education central office staff discovered a large number of unserved students in home instruction. This resulted in an organizational shift, requiring all special education children referred to home instruction to be first approved for the placement by the special education central office staff.

Increasing the number of the support staff seems to be a priority need at the building level, although not at the central office level, due to the reduction in psychologists two years ago. The LEA has not asked for any additional dollars to increase the number of psychologists, however.

Increasing the funds allocated to special education is a continuing priority for this LEA. The school board is in continual battle with the city council. According to most of those interviewed, federal, state, and local dollars are insufficient.

The priorities in the district for 1978-79 can best be gleaned from its projected use of P.L. 94-142 funds.

- Hire a bilingual teacher to provide at least two hours of academics daily to mentally retarded students in a vocational training program;
- Set up self-contained classes for children with a handicap in speech and language development;
- Hire a part-time nurse in an elementary school with mainstreamed, physically handicapped students;
- Establish a new resource room for 20 elementary learning disabled students;
- Continue funding four new specialists in the central office who assist schools with IEP development;
- Hire an occupational therapist;
- Hire a social worker and reassign a central staff person to work full-time on day and residential placements;

- Establish two self-contained units for primary level emotionally disturbed students;
- Set up a comprehensive health education program for self-contained mentally retarded students;
- Hire a physical education teacher to develop a program for emotionally disturbed students;
- Provide more training for regular and special education teachers and special service personnel;
- Provide each school a $25 allotment for each identified child to use at their discretion for special education services and/or materials.

The local budget document for 1978-79 reflects the following for the school year: to increase the competence of at least 100 staff in diagnosis and assessment methods; to prepare reports on student progress on IEPs, and to establish a library of P.L. 94-142 materials.

B. SERVICES AND PROGRAMS PROVIDED

Exhibit A-II presents the number of classes and teachers for each exceptionality in the LEA. Exhibit A-III shows how many classes have been added in the 1978-79 school year.

C. STUDENTS SERVED BY CATEGORY

In the 1978-79 school year the LEA was required to count the special education children served in the LEA on forms provided by the state as a part of the state's effort to improve its child count. The numbers of students served by category in A.1 is contained in Exhibit A-IV. This number cannot be compared to child counts in earlier years since counts were aggregates derived from special education rosters. For example, the LEA counted 5,227 students in 1975-76 and 5,962 in 1976-77 while the unduplicated count according to the 1978 state format was only 3,875.

D. BUDGET

A.1's per pupil expenditure in 1976-77 was about $1,760. Exhibit A-V lists comprehensive local education costs, special education costs, and special education costs as a percentage of total costs in A.1 from 1973-74 to 1977-78.

EXHIBIT A-II: SUMMARY OF SPECIAL EDUCATION SERVICES IN A.1

Exceptionality	No. Classes	No. Teachers
MR	67	66 + aides
ED	27	26 + aides
LD	75	75 + aides
Language	3	3 + aides
Hearing	5	?
Multiple	4	4 + aides

EXHIBIT A-III: NEW CLASSES - 1978-79 SCHOOL YEAR

Language Development	.5 Pre-School
	.5 Kindergarten
Language Development	1 Middle School
Modified L.D. Resource	1 4-6 grades
Modified Adjustment Resource	1 K-8
Self-contained L.D.	1 Primary
Developmental	1 Primary
Hearing Impaired	1 Middle School
Emotionally Disturbed	1 Middle High School
Special Education Learning Centers	11 Middle - H.S.
Bi-lingual L.D.	1 Primary
Bi-lingual L.D.	1 Middle
Modified Resource Room - Bi-lingual	1 Elementary
CLC	1 4-6 grades
Non-Category Resource Room	1/2 H.S.
Non-Category Resource Room	1/2 Elementary
Itinerant Special Education	2 Parochial Elementary

UNDUPLICATED COUNT OF SPECIAL EDUCATION
STUDENTS AND CANDIDATES BY STATE EXCEPTIONALITY CATEGORY

AS OF 08/2[illegible]/78

DISTRICT/AGENCY: A.1

PRIMARY DISABILITY	SERVICE BEING PROVIDED: WITHIN DISTRICT	OUT OF DISTRICT	BOTH	SUB-TOTAL	PERCENT OF ROW	PERCENT OF COL.	PROGRAMMED NOT PLACED	PERCENT OF ROW	PERCENT OF COL.	NOT DIAGNOSED	UNDUPL PEOPLE COUNT
(011) SIGHT IMPAIRED	14			14	100.0	.3					14
(012) BLIND	1			1	100.0						1
(021) HARD OF HEARING	30	1		31	96.8	.8	1	3.1	2.2		32
(022) DEAF	7	1		8	100.0	.2					8
(031) LANGUAGE	250	32	14	296	99.3	7.7	2	.6	4.4		298
(032) ARTICULATION	249	33	11	293	94.5	7.6	17	5.4	37.7		310
(033) VOICE/FLUENCY	44	5	1	50	96.1	1.3	2	3.8	4.4		52
(040) NEUROLOGICALLY IMPAIRED	13	2		15	100.0	.3					15
(050) ORTHOPEDICALLY IMPAIRED	15	3		18	100.0	.4					18
(061) EMR	881		3	884	99.4	23.0	5	.5	11.1		889
(062) TMR	87			87	96.6	2.2	3	3.3	6.6		90
(070) LEARNING DISABLED	1324	26	3	1353	99.6	35.3	5	.3	11.1		1358
(081) SOCIAL MALADJUSTED	272	9		281	99.2	7.3	2	.7	4.4		283
(082) EMOTIONAL DISTURB.	295	17		312	99.0	8.1	3	.9	6.6		315
(083) SEVERE EMOT. DIST.	42	134	1	177	97.2	4.6	5	2.7	11.1		182
(090) OTHER HEALTH IMPAIRED	1			1	100.0						1
(120) UNCATEGORIZED	9			9	100.0	.2					9
TOTAL	3534	263	33	3830							3875
******** TITLE 1 STUDENTS		IN PROGRAM		1					NOT IN PROGRAM		0

EXHIBIT: A-IV

EXHIBIT A-V: COMPREHENSIVE (GENERAL BUDGET AND SPECIAL FUNDS)
TOTAL BUDGETS AND SPECIAL EDUCATION PORTIONS
FOR 1973-74 through Projected 1977-78

FY	Comprehensive Total Budget	Comprehensive Spec. Education Portion	Special Education Percentage of Total
73-74	$44,947,008	$3,226,738	7.18%
74-75	48,807,576	3,989,617	8.17%
75-76	49,634,722	4,409,671	8.88%
76-77	53,153,931	5,513,503	10.37%
77-78 (Projected)	54,681,593	5,809,159	10.62%

Partly because Federal and state education money goes directly to the city council, district staff had no breakdown of the money appropriated to them under state or Federal programs.

A more recently compiled set of budget figures breaks down the pupil personnel and special education department's total budget into the organizational/ divisions in the agency, and thus illustrates the dollars committed to different areas in the department. A difference exists between the projected 1977-78 special education budget in Exhibit A-Vand the projected 1977-78 special education budget in Exhibit A-VI No breakdown exists as to how the total is reached in the Exhibit A-VI figure; hence, it is impossible to explain the difference.

Pupil personnel services has fewer staff than four years ago. Guidance, health, and psychological services is still the largest part of the special education pupil services budget, receiving over $500,000 more than other service areas in the adopted 1978-79 budget. The second greatest concentration of dollars is appropriated for the support services (e.g., day and residential placements and transportation of special education students). The lowest dollar allocation in the budget appears to be for the emotionally disturbed; however, some emotionally disturbed children are served under the support services category in outside facilities.

E. THE CONTENT OF THE SPECIAL EDUCATION PROCESS

The special education process in A.1 has been fluctuating for several years due to: frequent changes in special education leadership, funding, reaction to a state evaluation in 1974 and the OCR compliance suit in 1976; and, most recently, to P.L. 94-142 requirements. Unlike the other districts in this study, the A.1 special education program has been the subject of several reports and legal directives, which reveal a "sluggish" implementation of special education programs in the early 1970s.

In late 1974, this LEA was one of five towns evaluated by the special education unit of the SEA. The evaluation concluded, "As the district now operates, it is unable to meet the requirements of State A law in screening, identification, and placement and evaluation of children requiring special

EXHIBIT A-VI: BUDGET FOR SPECIAL EDUCATION AND PUPIL PERSONNEL

DISTRICT A.1 - 1976-77 through 1978-79

ITEM	ACTUAL 76-77	ADOPTED 77-78	PROJECTED 77-78	PROPOSED TOTAL 78-79	CHANGES	ADOPTED TOTAL 78-79
Central Administration	$331,441	$423,337	$445,251	$550,711	$ +161,096	$711,807
Support Services	680,836	675,149	731,331	1,303,477	- 40,268	1,263,209
Services to Mentally Retarded	814,169	842,848	855,388	953,755	- 99,405	854,350
Services to the Disabled	752,691	1,045,103	1,115,832	1,081,885		1,081,885
Services to Emotionally Disturbed	435,401	471,147	402,656	431,651		431,651
Language, Speech, & Hearing	383,176	434,690	457,852	532,486	- 60,625	471,861
Guid., Psych., & Health Services	1,917,182	1,737,943	1,722,087	1,958,896	-230,650	1,728,246
Social Work & Attendance Services	714,633	626,829	637,260	704,071	77,414	626,657
Comprehensive Budget	6,029,529	6,257,046	6,367,657	7,516,932	-347,266	7,169,666

education." A.1 was cited for a lack of identification procedures for pre-school and school-age children. Psychological reports were cited for their reliance on standardized tests of cognitive functioning instead of an emphasis on individual strengths and weaknesses, and were judged to be of limited utility to members of instructional staff, regular or special education. Children were often placed into programs that only approximated rather than met their needs. The written individualized reports of the group planning team (GPT) rarely "included (a) specific placements, (b) teaching strategies, and (c) program objectives". Further A.1 was considered remiss in that parents "were often not notified of the results of the GPT decision and usually not informed of their rights and the school's responsibilities." Finally, the report cited a lack of commitment to mainstreaming. Admittedly, the SEA report is a discussion of conditions which existed three years preceeding this study; yet it illustrates some of the problems facing this district as it began implementing P.L. 94-142 requirements.

Another illustration of the catching up the district had to do prior to P.L. 94-142 was a directive to the district by the HEW Office of Civil Rights (OCR) in March 1976. The district was found to be out of compliance with Title VI of the 1964 Civil Rights Act (as the act applies to special education and pupil personnel services) in many of the same areas identified in the SEA report cited above. District A.1 submits quarterly reports to OCR to illustrate its progress toward full compliance required by the 1978-79 school year. An OCR staff person noted that the district is making good progress toward compliance.

III. IMPLEMENTATION PROCESSES

A. SPECIFIC CONSEQUENCES

1. Childfind

a) Childfind Process

This LEA has had access to formal childfind services funded by the SEA and a resource center which receives all parent or out-of-agency referrals and refers them to the LEA. These referrals may be tested for a disability at the center, if the child is:

- not enrolled in public school;
- in an institution;
- enrolled in public schools, but the need for special education/ related services has never been determined by formal action;
- formerly identified for special education but currently in a regular education program on a full-time basis but now appears to need reconsideration for special education; or
- in school and needing diagnostic assessment and complete assessments have not been carried out, i.e., "waiting list" referrals.

Referrals come from several other sources: parents, teachers or professionals within the schools or outside agencies (such as other school districts), the State youth services division and the juvenile courts. In elementary schools teachers identify most of the students; pre-school children are usually identified by an outside agency or medical facility; secondary students are chiefly referred through guidance counselors, outside agencies or the courts. Over 90% of the referrals come from feeder schools, where children were identified as needing special education when they were elementary students. Hence, the largest group of referrals comes from within the school system. About 75% of those are new referrals; 25% are identified as needing reassessments.

The referral process begins when a problem is identified as interfering with a child's learning. This problem is reported to the principal or his designee. The principal or his designee generally chair either or both the Intervention Team (IT) or the Group Planning Team (GPT) meeting. This initial referral is seldom recorded on paper anywhere; rather the teacher or social worker

talks with the chairperson about possible classroom alternatives, and may try some "placements" before formal contact with the parents or before formal meetings of the IT or GPT are held. Sometimes this informal discussion is the IT.

The IT procedure was initiated in January 1977 in response to an OCR requirement that the LEA increase parent involvement in programming and eliminate unnecessary psychological testing. The team is the precursor of the GPT, and, although all children referred to the IT may not be special, all children's cases must be first reviewed by the IT before referral to the GPT, in an attempt to prevent unnecessary assesment and labeling.

The district stipulated in its response to the OCR directive that the IT will include the student's parent(s), teacher and a chairperson, designated by the principal. Since Spetember 1977, district procedures require that within five days of the referral, the parent be informed of the referral, of their rights, and of the date and time of the IT meeting. Furthermore, the team is required to incorporate into a student's program "all the resources available in the school" and recommend one of two courses: intervention within the school's regular program (i.e., not special education) or a review by the special education group planning and placement team (i.e., special education). No student can be considered by the GPT, or be referred for psychological testing, without first being considered by the IT.

The LEA's commitment to OCR is reinforced by a special education process checklist the central office prepared to assist the schools in the complex special education process. That checklist indicates that: an initial IT meeting should be held to review referral, determine needs, and make recommendations within 10 days of referral; a written report summarizing the IT decisions should be sent to the parent; signed parent permission must be received for individual evaluations (psychologicals, educational assessments, speech and language, health) and should be completed prior to scheduling; and a second IT meeting to discuss findings of evaluations and intervention, with notification to parents at least five days prior to the second IT meeting. Although the checklist may be encouraging a more systematic special education process, in spring and fall 1978, few of the IT meetings in the schools in this study were

similar. Of the four elementary schools participating in this study, two schools labeled a meeting between principal, teacher, and guidance counselor as the IT meeting; parents seemed not to be included. The principal apparently determined whether testing would be administered. At two other schools, a permanent IT meeting chaired by a guidance counselor or social worker, is scheduled once a week; parents are notified but rarely attend. In a middle school, the official IT membership was described as the principal, guidance counselor and school nurse. At both high schools, the IT meet regularly, and guidance counselors seem to have discretion over information gathered and tests given prior to referring a child to special education; parents tend not to be involved.

So, despite the standardization of procedures at the central office level, the IT can take "any number of configurations", as one interviewee explained. It appears that the principal or his designee makes the decisions regarding when testing occurs, when parents are involved or if the IT meeting is actually to be held.

b) Childfind Consequences

(1) Up-to-date child counts require a great deal of time.

In 1977 the central office staff had just completed the first set of State computer forms. A form must be submitted for each child identified as handicapped in order for the LEA to receive P.L. 94-142 pass-through funds. Not used to the new forms, the LEA central staff took two months to complete the more than 3,000 forms, leaving their other tasks behind. In 1978, staff thought the forms would be less time-consuming, but it still took several weeks to complete the forms, and to speed the process, teachers were asked to come to the central office to complete the forms. Central office staff and teachers resented the time taken from other duties, and the local press picked up the story, emphasizing the increased paperwork resulting from P.L. 94-142. Another concern was difficulty in keeping the forms up to date because of the high mobility of students in the LEA. Nevertheless, by early Spring 1979 administrators were pleased with the data which is now much more readily available.

(2) A more standard referral process takes some staff away from direct service delivery.

Because of numerous referral requirements previously stipulated in a State evaluation, State regulations, and an OCR directive, a process for referring

children to the special education program was in place prior to P.L. 94-142. But in light of P.L. 94-142 monitoring, and to further assure standard procedures across most schools, the central office and building administrators assigned to the guidance counselors as part of their responsibilities, coordinating of the referral of special education children, monitoring of the forms for referral, and arrangment of meetings to discuss referrals.

In this district with a realtively small staff and a large special education population, any additional accountability requirements cause role changes. Many guidance counselors now spend most of their time coordinating the referral process. The counselors resent these new clerical duties which almost eliminate time for counseling regular and special education students. In recognition of the problem a memo issued in one school listed the counselors' tasks, but reminded other staff of the counselors' primary role, and asked for understanding of the counselors' heavy work load.

Principals and vice principals also have assumed P.L. 94-142-related tasks, chairing Group Planning Team (GPT) meetings and contacting parents about referrals. This increased involvement has led to another consequence.

(3) Building administrators affect special education referrals.

Because of the increased publicity about the handicapped, and additional paperwork and meetings (both due to P.L. 94-142), the number of referrals, and meetings about those referrals have increased in 1977-78. Consequently, the backlog of children waiting for evaluation and placement increased. Some principals, frustrated over the backlog and the time special education takes from their regular duties, have refused to accept referrals until they have caught up. This coping strategy annoyed some teachers, who were unsure when they would be allowed to again refer children. This was particularly true of those regular teachers who viewed the new referral process as a way to be involved in planning GPT meetings. Prior to P.L. 94-142, they were rarely included, and once they referred a child, were rarely informed of the child's later status. Thus, hopeful that the new GPT meetings would increase their participation, they were disappointed over the "suspended referral" process. Some regular teachers were discouraged about the new referral process in a different regard as identified in the next consequence.

(4) Some teachers refer fewer students.

Some regular teachers were discouraged over the time it takes for a child to be processed. As one building staff member described the situation, regular teachers may refer a child, then wait two or three months to discuss tests or learn a diagnosis. As a result, they may keep children in the regular class indefinitely, or in one teacher's words "as long as she can stand it" and only then refer the student. Some teachers have also limited the children they refer due to concern about the time they will have to commit to planning meetings. Special education staff think the process may discourage referrals of children who are merely discipline problems, but it could also halt legitimate referrals as well.

(5) Backlogs led to referral moratorium.

New referrals of potential special education students were partially serviced in the 1977-78 school year by the State regional education centers. In spring 1977, to more speedily process children, District A.1 referred over 100 children to the regional center; 87 of these children were identified in the spring annual review. The State discontinued this service in spring 1978, so the LEA had an additional number of children in fall 1978 who had been referred or identified during spring and summer 1978, and had to be tested. As a result, the central office imposed a moratorium on any new referrals in fall 1978.

2. Assessment

a) Assessment Process

Although the IT* is not considered by those school building staff interviewed as a formal element of the special education process, testing to identify handicaps is conducted in most schools during the IT step, prior to the special education GPT meeting. In fact, it appears that, at this time even though the clock for timing the referral-to-placement process may not start until the GPT

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*The decision to conduct the evaluations is made through an informal process or through the formal IT meeting discussed in the previous section and will be called here "the IT step", regardless of whether an IT meeting actually occurs.

meeting is held, most of the testing is conducted during the IT step. Teachers, and sometimes support staff, conduct educational evaluations using the Key Math and Slingerland tests, among others. When such tests have been conducted, the school then either holds a second IT meeting to determine if it is necessary to request a psychological exam and waits until the GPT to discuss findings.

When these tests, or others are conducted prior to the GPT, they are recorded on the form which the IT must submit to the central office to request psychological testing.

Because of OCR-cited abuses in the LEA regarding overuse or singular use of the psychological test as a determinant of a handicapping condition, psychological testing is controlled by the central office. When seeking a psychological exam for a child, the IT chairperson submits three documents to the psychological coordinator in the central office: a referral form which gives the reason for the referral, a description of the problem, classroom adjustment, behavior, and estimate of skill development; a report of the IT which provides a description of internal interventions; and a form indicating parent consent for assessment in learning skills, intelligence and behavior. Prior to establishment of the IT, parent notification letters did not require a signature. The coordinator in most instances then assigns a staff psychologist to test the child.

In 1977-78, the assessments were assigned by special education clusters, by school building. If it appears from the initial "work-up" conducted by the IT that the child's problem will be difficult to assess or, if after psychological testing, it is still undetermined, a child may also be: referred to the regional education center for assessment, sent to an outside facility for assessment, if the case seems to have a neurological basis; or evaluated at one of two diagnostic centers.

The two diagnostic centers -- one for elementary and one for middle and high schools -- were established in response to the OCR request that diagnosis be improved. Students may be sent to the diagnostic centers (usually for three to six weeks) to complete a battery of psychological, medical and educational evaluations. The centers are only supposed to be used if staff disagree on the testing necessary to determine an exceptionality or if the testing already performed is inconclusive. However, according to a report of the diagnostic center, half of the children referred who have already been tested, simply have inadequate, as opposed to inconclusive, work-ups. Despite this inconsistency

with its purpose, the center will supplement previous testing; also, to reduce waiting, it may test children who have not previously been tested. The center psychologist performing the assessment notes on a form which test(s) was (were) administered, such as the WISC or Binet, the two most commonly used in the LEA. Further evaluation is done as determined by the team.

The LEA is beginning to explore tests which take cultural differences into consideration. Staff make allowances in their evaluation for test biases, and the LEA has held an in-service on the use of a test which also takes the socio-economic status of a child into account in its scoring. Also in August 1978, the district prepared a suggested list of tests to determine eligibility for placement in different special education categories.

Because the district encourages that testing be performed prior to the GPT meeting the IT in several schools still does not hold a formal meeting, it is difficult to obtain a district-wide picture of who determines what tests are to be administered, when, by whom, or if those tests are performed at all In some schools, formal academic evaluations were conducted as part of the IT rationale for psychological tests. In others, only a few informal interventions were cited. In still others, developmental histories were not conducted until after the GPT, or special education teachers were conducting educational evaluations after the child was placed in class. In yet other schools, respondents in this study indicated that they felt psychological testing was the best measure of a suspected disability, and they resisted using, or selectively used, other methods of assessment.

It appeared that often schools were avoiding conducting academic or behavioral tests until the special education teacher received the child in class, which was well after diagnosis.

It is also difficult to establish in District A.1 how long children wait for testing. In many schools there is a 6-week to 6-month delay for an IT meeting, but tests are conducted with parent permission before a formal IT meeting is held. In that instance, no group decision is made on tests to be given and tests are conducted prior to the special education process. The testing backlog occurs well before the GPT step. Many interviewees cited a two-month delay before psychological test results were received.

Other types of backlogs do occur. First, one interviewee said a testing backlog arises as the school year progresses. Psychologists can handle the children referred in autumn, but as more children are referred, they fall behind. Then in the spring, with annual reviews upcoming and additional children in need of a reassessment, the backlog, if it did not exist already, crops up. Secondly, the number of children needing testing usually increases after the spring annual reviews. So last summer, the LEA instituted a summer testing program to eliminate a backlog of 400 children. To complete those tests, it halted new fall referrals until October 1978. A third factor which adds to the testing backlog during the year is a shortage of bilingual psychologists. It can take longer than two months to test a Spanish-speaking child.

b) Assesment Consequences

(1) Diagnosis and placement decisions have improved.

One direct, positive role change in light of P.L. 94-142 requirements has been that diagnosis is now made in group meetings. Prior to P.L. 94-142, teachers, social workers, and parents in some schools were not included in diagnosis decisions. They now participate in long discussions on a child's diagnosis. Several teachers noted instances where their classroom knowledge of a child convinced other members of a diagnosis.

Since some parents now attend GPT meetings, the district discusses test results and potential labels with parents. Prior to P.L. 94-142, parents were often unaware of the meaning of a label or were not told the child's precise category (e.g., parents of mentally retarded children were told their child was a "slow learner.")

Another positive movement in a few schools in response to P.L. 94-142 has been to increase or include special education teacher educational evaluations in diagnosis decisions. The teachers did express concern that as a result of their new evaluation duties they spend less time in instruction, either stopping class for a few weeks to perform tests, or doing testing during class hours to the detriment of other students. Also, many staff noted that the large number of participants require longer or more meetings to reach a diagnosis. By Fall 1978, staff were becoming concerned that the large number of meetings were causing

participants to speed the process by relying more on rote phrases and descriptors when determining diagnoses.

Despite some of these negative reactions, generally staff were optimistic that P.L. 94-142 would improve assessment in the future. For example, several were hopeful that nondiscriminatory testing would result from P.L. 94-142 requirements. The central office has initiated a committee to investigate discriminatory testing, but no one reported the use of such testing instruments.

Others interviewed felt P.L. 94-142 would limit mislabeling, long a problem in this district, as psychologists would be required to perform more tests, use nondiscriminatory instruments, and ensure that tests are complete and accurate. However, this anticipation is disguised by the fact that although the WISC and Binet seem to be used in concert more frequently in educational evaluations conducted prior to placement, time contraints limited testing in many schools to a single instrument.

(2) The psychologist's role is changing.

Prior to P.L. 94-142, psychologists had the major role in school building special education diagnosis. Some ran the GPT meetings and they all conducted most of the diagnostic tests. In Fall 1977, the role of the psychologist changed greatly, for a number of reasons.

First, the Board of Education cut the psychological staff in half at about the same time that P.L. 94-142 went into effect. Many of the displaced psychologists took positions in their other areas of certification, (i.e., guidance counselor). Others left the system. The cut in psychological staff has had a large impact. In Fall 1977, psychologists were no longer assigned to specific schools, but traveled among schools, depending on where tests had been requested. In Fall 1978, they were again assigned buildings on an itinerant basis. While psychologists have almost stopped performing duties other than testing potential special education students, their number is still so few, that there is less time to test than before P.L. 94-142. Subsequently, the waiting list in the district is long and children can wait for testing from two to twelve months.

Second, the psychologists no longer chair GPT meetings. In fact they do not always attend the GPT meetings to interpret the results, which means that

non-psychologists may now do the interpretation. Depending on the principal's discretion, the GPT meetings either scheduled on the days psychologists are assigned to the school, thus limiting the time psychologists have to test, or scheduled on days when the psychologists are not in the school, increasing the time for testing, but dis-allowing psychologists the opportunity to discuss test results at the GPT meeting. The schools in this survey seem to be divided evenly between the two strategies.

Third, the increased monitoring and testing requirements of P.L. 94-142 can not be handled by one person. Principals, social workers, and guidance counselors now chair GPT meetings; some special education teachers now give educational evaluations and perform observations. Several special education teachers complained that the large number of children to be tested and limited number of psychologists, results in children being assigned to their classes with insufficient data for developing instructional plans. They often conduct further evaluation after placement to determine better a child's need.

(3) Additional procedures have been included in learning disabled diagnosis.

The LEA has developed a new procedure for processing learning diabled (LD) students in direct response to the new LD regulations. To ensure that the central office has some voice in the diagnosis of LD students, it developed a form which: describes, more specifically than the IEP format, a child's observation; requires the team to discount environmental, cultural, and economic disadvantages; and requests the signatures of the team (agreeing and dissenting). School building staff say this extra step slows LD placement even further. Schools faced with this new reporting requirement dislike the extra level of review required at the central office and, in one school, staff simply complete the new LD form by writing in each category "on GPT report". A few psychologists claim they now test potential LD students first and, since additional observations are required, spend even less time observing others.

(4) Overdue reassessments are conducted.

A priority in District A.1 has been the identification of students who were in outside or interim placements, or were 'lost' (i.e., not included in the special education central office tally of special education students, but, at one

time, were identified as needing special education services). In the new annual spring review of special education students' programs, and during the summer of 1978, the central office reviewed the records of students in home instruction. Central office staff are also reviewing the files of all special education students to determine whether all information required by OCR was present.

(5) Waiting lists for testing and placement can be up to a school year.

The length of time a student waits for testing to determine the existence of a handicap varies by time of year, exceptionality, and the paperwork burden. Due to a lack of self-contained facilities and other factors, students with severe disabilities may wait up to a year for placement. Children are generally tested in a first-come-first-served basis, but if a teacher or staff member labels a child an emergency case, a psychologist will test that child first. Children with less severe problems frequently wait longer for testing. If the teacher refers a child early in the school year, the wait will only be a few weeks to a month. As the year proceeds and more children are referred, the testing process slows and children often are not placed until the following school year.

3. Placement/Least Restrictive Environment

a) Placement Process

Placement decisions are made in District A.1 at the GPT meeting, which has been part of the special education process in this city for well over ten years. Both the GPT purpose and its structure are described in State law or regulations, but most of this district's formal policy on its GPT was prepared in the last three years to satisfy OCR requirements. The GPT in most schools meets once a week for two to three hours, which is preceded by as much as 16 hours of preparation time. According to a District A.1 memo, the GPT must "recommend the most appropriate educational setting for the child and suggest a priority for his placement which is in line with the needs of the child."

The placement forms, along with an IEP, are the special education packet later filed with the central office. If the packet is sent incomplete to the central office, it is returned to the school GPT chairperson for completion before

a final placement decision. The membership of the GPT may include the principal, parent, a chairperson, the psychologist, social worker, nurse, classroom teachers, and other professional personnel as required by the case. The chairperson of the IT has, during the past two years, normally been the chair of the GPT as well. Depending on the school, the chairperson can be the principal, vice principal, guidance counselor, social worker, or special education teacher.

Until 1977 when the psychological staff was cut, they were the only staff to have conducted formal tests and they most often determined the diagnoses. Special education teachers and regular teachers rarely attended the GPT meetings; regular teachers often complained they never knew the disposition of a child's case after referral. Parents were rarely included in GPTs; some schools informally notified them of the GPT meetings but few parents came. Occasionally, recommendations for placement were made by building principals and GPT chairpersons or staff other than psychologists, but even then the diagnosis relied almost exclusively on the psychological report.

In the high schools, principals tend to delegate responsibility for chairing the GPT meetings to vice principals while, the guidance counselors are responsible for doing the paperwork and personnel contacts for most of the GPT procedures.

At the meetings, GPT members discuss placement possibilities based on the psychologist's diagnosis. Before the GPT meeting, staff should have completed any formal or informal evaluations the chairperson asked them to present to other staff for the placement decision. However, due to the large number of children to be serviced, staff often come to meetings unprepared or uninformed either because they did not know, or have not had time to assess the child.

One school administrator in a school with a total population of around 1,200 in 1977-78, estimated that about 130 IT meetings were held; 90 referrals for psychological evaluations occurred; 125 GPT meetings were held, with 95 percent of the students placed by the following fall. This figure on the number of meetings held for placement of special education children does not include 225 annual review GPT meetings held in the spring.

The GPT may make one of several recommendations for placement. If the school recommends placement outside its own building, placement must be arranged through a special education coordinator. The GPT submits its placement decision to the central office which then determines where there is space for the child

and contacts the principal in that school building to urge placement. Principals can and do refuse to accept children; the central office must then seek alternative placement.

Estimates of the time which elapses between the placement decision and placement vary from four weeks to over a year. The cause of the delay is generally lack of facilities both within and outside of schools. The largest delays are for children waiting placement in a self-contained room or day/residential facility. Children who are not immediately placed may be referred back to the regular classroom and may not receive services until they are reassigned to a special education classroom.

Some placements are made before the central office has been notified. Some central office staff admit that their recommendations for placements are often guided by which principals are more open to placements than others. If a controversy over placement arises between the coordinator and the principal, the Assistant Superintendent and Director of Instructional Support make the final decision.

As discussed earlier, children are placed in facilities outside the regular building when their handicaps are considered too severe for the services in the school. In spring 1978, approximately half of the full-time special education students were in alternative settings. For example, 200 were in State-approved day or residential settings throughout and outside the State; about 250 secondary students were in alternative schools; 150-300 in alternative education centers and in home instruction. In spring 1978, the largest exceptionality placed outside the LEA was the socially and emotionally maladjusted (about half of the 250 in alternative secondary schools). In fall 1978, the LEA did establish several new classes for this population in regular school buildings.

In order to be placed in an out-of-district day or residential facility, students must have a central GPT, made up of the head of psychological services, a special education coordinator, the head school physician, other central office staff, staff from the building referring the child, and the parent. Parent attendance at central GPT meetings is high. Interviewees said that the decision to place a child in an outside facility appears to be a joint one -- made by the parent and professionals. Outside payments are costly to the LEA, so great

pains are taken to justify them; nevertheless, from September 1977 to March 1978, there was a 20% increase in outside placements.

Special education students cannot be expelled, but instead are often placed in alternative schools. Such placements are arranged through the administrators of secondary schools and liaison personnel for alternative schools. Alternative school staff attend the sending schools' GPT meetings when the alternative placement seems an option. Alternative placement is often a precursor to home instruction. Elementary and secondary children are placed on home instruction if the appropriate in-school placement is unavailable and teachers feel unable to control the child. Such placement has to be approved by a coordinator of home instruction. The home instruction program provides tutors for several hours per week for students. This program also provides services for those unable to attend school for medical reasons.

All in all, least restrictive environment has received more attention in the LEA since P.L. 94-142. In the past two years, the district has gradually inco. orated learning centers for emotionally disturbed children from temporary classrooms physically outside school buildings into self-contained classrooms inside the buildings. The School Board approved 30 additional resource rooms in the past two years. Although these additions cannot be credited to the P.L. 94-142 law alone, it surely had an impact.

b) Placement/Least Restrictive Environment Consequences

(1) Major changes in outside placements were instituted

This district made a major effort to change several types of outside placements which prior to P.L. 94-142, were often not monitored at all. The children placed in these categories were those the district was most fearful of losing, so they concentrated early implementation efforts here. First, the LEA reorganized home instruction for special education students. Before children may be referred to home instruction or the Alternative Secondary Network, a Coordinator of Special Education must be informed. Prior to fall 1978, a Coordinator of Special Education was not always informed when a child in need of special education was referred from a principal to home instruction. The home instruction staff kept separate lists of children they served. During summer 1978, to keep track of all special ecucation children in the district and to ensure that children are not placed on home instruction without proper assess-

ment and placement determinations, a Coordinator of Special Education requested home instruction to open its records to Special Education and allow Special Education to determine how many special education children were on home instruction without IEPs and would have to be tested, reevaluated, and/or have IEPs prepared. The Special Education central office staff reviewed the records of the Home Instruction office and discovered some 200 children who did not have IEPs and who were not recorded as special education students. The School Board has now assigned the special education central office responsibility for the special education students on home instruction. The LEA also has hired a social worker who tracks how long children, on home instruction (interim placement) wait to receive full services, searches for appropriate placements for these, the most difficult to place children, and checks to see if these children are visited by teachers, as scheduled, while at home.

The LEA also shifted funds from part-time home instruction and private school tuition accounts to establish a new program to serve secondary-level emotionally disturbed students. In the past, the LEA used outside day or residential placements for the severely emotionally disturbed, socially maladjusted children. This fall, the LEA established a full-day program with its own director, five special education teachers, and several para-professionals to work with these students. The LEA hopes the program will be better and less costly.

The central office also reassigned administrative tasks among staff, assigning one staff member the role of monitoring outside facilities and chairing the central office meetings at which outside placement decisions are made.

(2) More attention is given to placement decisions.

One of the greatest impacts of the P.L. 94-142 placement requirements in District A.1 has been an organizational one. The district now defines a specific role for all special staff and teachers in the placement process. Subsequently, many building principals require staff to prioritize their GPT duties over their other tasks. The additional reporting and meeting time requested of staff has had some positive effects:

- more complete formal records tracking the child's progress through the special education system are kept in most schools and at the central office;
- the district staff are preparing a booklet which describes programs available in the district to encourage school building consideration for all placement options;

- by enforcing greater staff participation and better record keeping, the district reinforces OCR compliance as well;

- More staff -- including regular teachers, social workers, guidance counselors, special education teachers and parents -- now attend placement meetings.

The decision to have more staff attend GPT meetings has changed the tenor of those meetings. Taking time to better explain appropriate placement to parents, and responding to requirements of the IEP form, staff more thoroughly discuss placement options. Before P.L. 94-142, the GPT meeting often was a brief 15-minute notification session; after P.L. 94-142, the meeting is more often a two-hour discussion of appropriate programming. Sometimes, second and third GPT meetings are required before a placement decision can be made. The large number of attendees at placement discussions and the large number of meetings have, however, had a backlash on service delivery.

(3) Placement meetings and paperwork affect service delivery.

Although many educators view the longer placement discussions and better record-keeping as beneficial to the child's program, they dislike the time such meetings and reporting requirements take away from instruction, counseling, and other direct services. In fact, a few teachers reported instances where they left classrooms unattended or cancelled class to attend a GPT meeting. Most teachers reported that their principals provide substitutes or ask art or music teachers to fill in while they attend such meetings; they too were concerned that the children would receive sporadic and incomplete instruction in the classroom. Another problem with frequent meetings is that staff sometimes have little time to complete reports prior to the numerous GPT meetings they now attend. Subsequently, review of reports prior to meeting is usually impossible, and sometimes staff come to meetings ill-prepared to discuss GPT placement. The staff member with the most information can control the meeting. A few respondents voiced concern that the large groups of people made it difficult to reach a consensus or plan effectively. Some special education teachers remarked that placement decisions are often made on insufficient information just to move the child through the system and get on to the next case. As a result, these teachers evaluate the children further after they are in their classroom, and then realign

their instructional plans accordingly.

If a teacher refers a child early in the school year, the wait will only be a few weeks to a month. As the year proceeds and more children are referred, the testing process slows and children often are not placed until the following school year. In fall 1978, the process was slowed further when the school district felt it had to put a moratorium on new referrals, since the spring reviews had discovered even more children needing testing. Until all those waiting assessment from the previous school were tested, new referrals were held up until October 15, 1978. Waiting for parents to return permission slips for testing or for placement also delays service delivery.

For some exceptionalities, particularly those most severe, the dearth of self-contained facilities can result in year-long (or longer) waits for service. Limited in number and newly burdened with P.L. 94-142 reporting requirements, psychologists test those children labeled "emergency" cases first; less severe children may wait for testing.

A few staff reported that they feel some pressure to prescribe in-school placements rather than outside the LEA for some severely handicapped students. The pressure to avoid outside placements comes from a multitude of factors: limited outside placements; high transportation costs; additional meetings and more paperwork; long waiting lists for outside placements; parent complaints about alternative settings; and regular teacher preference that the child be placed somewhere rather than back in the classroom while being waitlisted.

4. Individual Educational Programs (IEPs)

a) IEP Process

State law has required individual programming since the early 1970s, although no stipulations exist as to the format for that programming. Many teachers claim they have been using the individualized approach to education for years, by choice, not because of a district-wide requirement.

The 1976 OCR directive required that District A.1 individualize instruction, but that directive mirrored State requirements and no formal policy change resulted. A written IEP may be one of the main innovations resulting form P.L. 94-142. The LEA central office began to issue memos to school building principals indicating the procedure for preparing written IEPs. One such document states that "placement and major instructional goal decisions for the child should be made by the GPT at the time of the placement decision..."

To ensure that staff could respond to the new requirement, in the 1977-78 school year, District A.1 hired outside consultants to provide training for Board members, administrators, teachers and staff about P.L. 94-142 and the use of the IEP. These sessions were held in the 1977-78 school year; the district decided not to require IEPs until all staff had been trained and could appropriately fill out an IEP form. To complete IEPs for all students by June 1978 (the earliest the LEA felt staff would be trained to have the time to complete the IEPS), the central office issued a memo to the principals outlining the progression schools should follow to finish the IEPs: students who entered special education from September 1977 to February 1978 or had annual reviews in that interval should have IEPs completed by the special education teachers who would meet with parents (and regular teachers if possible) to discuss the IEP; students currently in special education, whose annual reviews would occur between March 1978 and June 1978 would receive IPE long-term goals prepared by the GPT and short-term objectives prepared 10 days after the GPT meeting; students who were identified between March and June 1978 were to have IEPs prepared at the GPT meeting with short-term objectives written within 10 days of placement.

The central office sent an August memo to the principals to remind them all IEPs were to be completed by October 1, 1978 with one copy submitted to the central office.

In Spring 1978, the LEA also hired four additional staff, whose principle responsibility was to help school GPTs complete IEPs. Also, central office staff members spent the summer in 1978 revising the standard IEP form (developed in 1977) for district-wide use. While the central office cannot "force" schools to use the IEPs, most schools do use them.

The LEA decided to have only long-term goals completed at the GPT meeting believing the child's receiving teacher could best prepare the short-term objectives. Unfortunately, sometimes the time between recommendation for placement and actual placement is very long and it is unclear whether anyone has the time to monitor whether short-term goals have been written by receiving teachers, or whether teachers are using the long-or short-term objectives.

b) IEP Consequences

(1) The LEA prepared a district-wide IEP form.

Over the summer, the LEA central office staff revised the standard IEP form. Since the central office reviews all IEPs before determining placement and sends back any which are incomplete, a standard IEP facilitates this process.

Some respondents thought the standard IEP has become the focus and agenda of the group program and placement meeting. In some schools, to speed the meetings, the IEP followed category-by-category and was completed in the meeting if possible. A staff member complained in fall 1978 that staff discovered they were using rote phrases or becoming used to certain descriptions for specific exceptionalities to complete sections of the IEP rapidly. The irony is that such standardization can reduce participatory group discussions.

Positive benefits have accrued from formal written IEPs. The IEP does summarize available information regarding a child's special needs. When a child moves to another building, even if the IEP document is incomplete, it still provides a record of all the activities conducted regarding the child's program.

(2) The short-term objectives are prepared after IEP/GPT meetings.

As in many other school districts, A.1 instructs the receiving teacher to prepare short-term objectives within a short period of time after the child has been placed in class. This procedure is viewed as good practice since the teacher cannot really prescribe day-to-day or week-to-week goals until s/he observes the child in the classroom. Some problems arise with this practice. Placement may not occur for months or even a year after the long-term goals are written. By the time the receiving teacher actually instructs the child, the IEP may be out of date. Since short-term goals in some schools need not be filed with the GPT coordinator, no one may have time to check if those objectives have been written, are being followed, or if the parent has seen them.

(3) Staff hired to assist IEP preparation.

The most immediate impact of the IEP requirement was the use of P.L. 94-142 funds to hire four new central office staff, who, at the request of school principals, attend GPT meetings and assist in the development of the IEP long-term goals, occasionally completing the form themselves. A consequence of this approach was that most of the momentum of IEP development in the early months of implementation rested with the central office staff. Because the principals

in District A.1 have autonomy from the central office, some buildings did not initially request assistance in IEP preparation. In spring 1978, several principals said they had not started preparing IEPs, but would use the central office staff when they did. While the four new staff worked frantically to complete IEPs, IEPs were not prepared for all children until September 1978 due to building autonomy.

The district also hired outside consultants from a nearby university to train staff in the purposes of the IEP and how to prepare them. All district staff were not trained until January 1978. This also slowed IEP preparation. The district decided it was most important to train staff in IEP preparation, rather than produce ill-prepared IEPs.

(4) The IEP is principally used as a monitoring tool.

Since this LEA had no similar, standard format before P.L. 94-142, there is no tradition for using such a document for instruction. Additionally, since IEPs must be available for State and Federal compliance review, copies are filed in the central office. Precedent is fast being established that the IEP is a record of activities performed for compliance purposes rather than a document to ensure better education. Several of those interviewed believe that the IEP leaves "the teacher's style unaffected: if s/he is teaching with objectives, s/he will continue to do so; if not, there will be no change (in instructional techniques)." Some teachers stated that individualized instruction is not a "fundamental practice" in the LEA, and, therefore, the IEP may not become an instructional tool. These teachers fear being held accountable for the long-term goals written by another teacher; fear for their own liability for student achievement of short-term objectives; would prefer a check-list IEP.

Using the IEP as a monitoring document is a problematic situation in an LEA with few staff to track whether IEPs actually reflect instruction or placement. For example, some disscussants claimed teachers are rarely monitored to determine whether short-term objectives have been written or if they match the intent of the long-term goals; due to placement delays, the long-term goals may not be applicable by the time the child reaches the classroom; IEPs written at spring reviews may not reflect a child's needs in the fall; and if placement takes place two to twelve months after the IEP is prepared, the IEP on file does

not reflect the service the child is receiving.

Lastly, some staff in alternative settings said when they disagreed with the IEP prepared at the child's home school (in which they had no part) they rewrote the IEP. So the document in use may not reflect the original IEP.

5. Due Process/Parent Involvement

a) Due Process/Parent Involvement Process

The OCR directive of 1976 required the inclusion of parents in programming for special education students, but the extensiveness of the information provided parents throughout the process varies from school to school. Regarding the psychological assessment aspect, the district has a carbon form-letter (either in Spanish or English version) which schools must send to parents to inform them that a meeting has been held -- presumably the IT meeting -- to discuss their child's problem and that a certain test(s) need to be conducted. The parent is asked to sign the carbon letter, giving permission for the testing, and send two copies back to the school. A list of seven due process rights are included for the parent's information.

The IT meeting should include parents. In Spring 1978 in some schools, the ITs did not hold formal meetings, parents were seldom invited. The central office forms which schools must submit to request tests for children with suspected handicaps require informed parent consent.

In terms of the placement GPT meetings and development of the IEP at those meetings, the central office instructs schools that if parents attend those meetings where IEPs are developed, they should sign the IEP; if parents do not attend, they should be notified the IEP is available in their child's folder. For new placements the IEP must be signed before service can begin. In the new series of forms the district requires as part of a child's special education packet, the chairperson checks the front sheet box to indicate if the parent was informed of the decision and another check if the parent agrees.

Parents are invited to the GPT meeting. Such a meeting is a vehicle for presenting data to the parent and for reaching a formal consensus with the parent. Parent attendance at these meetings seems to average around 25 percent in district schools, sometimes dropping to 12 percent or increasing to 85 percent depending

on the school, mobility of the students, school's accessibility to parents, whether parents work or have a phone, and the like.

School letters sent to parents about upcoming GPT meetings tend not to describe parent rights or give details about why meetings are being held. Parents could overlook the notation that their child is being considered for a handicapping condition.

In most instances, parents do not see or sign the short-term objectives, which the special education teacher develops after the child is placed in the special education class. Also, parents are not informed when the child is actually placed, an event which may occur several months after the GPT meeting. Parents have a more active role if their child is slated for outside placement. In such cases, they attend the central office meeting where the placement will be discussed and are sometimes privately visited by a social worker who explains what the child's problem seems to be and possible placements. As some parents are aware of the local advocacy group activities, school building staff have made an extra attempt to insure parent attendance at GPT meetings. As a result, there is potential for a change in the parents' role.

Due process is a major issue in District A.1. As described above, the Legal Aid Society initiated a suit against the district in spring 1978, which has only recently been resolved. The Board has frequently accused the City Council of not providing the funds necessary to provide appropriate programs. In fact, a local newspaper article on the Legal Aid suit quotes School Board members as saying the LEA cannot meet the special education needs of its students without more money from the State and Federal governments. District staff are actively seeking to improve programs, decreasing the number of physically separate classrooms for those with severe disabilities, developing standard criteria for placing students in particular special education classes, seeing unbiased assessment tools, and the like. But staff also cite examples of waiting lists for testing and placement, of less staff time for direct service delivery, and of incomplete IEP and parent notification procedures.

b) Due Process/Parent Involvement Consequences

From the earliest months of implementation of P.L. 94-142, due process has

been a major concern in this district. In many schools, some organizational structure to involve parents already existed; advocacy groups supplement the LEAs resources by providing parents in-service training on their rights; of all the P.L. 94-142 provisions, due process/parent involvement is most directly linked, in the minds of many staff, to legal reprisal.

(1) Limited resources hinder due process.

The most immediate impact of due process on this district's resources was a class action suit brought by Legal Aid in spring 1978 against the School Board in protest of the inadequate services provided handicapped children in the school system. The suit was brought directly to Federal court, by-passing local and State mediation, and among other things, challenged placement decisions and services being provided by the district. In this district with its limited central office staff, response to this suit took enormous amounts of staff time and energy. The suit, concluded in spring 1979, siphoned huge amounts of staff time away from the implementation of P.L. 94-142 activities. The final result of the suit was the court's assignment of a monitor to oversee program implementation for the named plantiff. One benefit of the suit, in the eyes of some staff, is that it highlights to the Board the services the LEA must provide, and gives credence to budget requests for more instructional and support staff, facilities and materials.

A second impact in this district is that it may have to hold evening GPT meetings, to be in compliance with P.L. 94-142 due process requirement. Teachers and other staff will have to be paid overtime; teachers and parents refuse to come to some buildings after dark without protection, so security guards would have to be hired for those meetings.

A third resource implication is the hiring of interpreters or assigning a bilingual staff person to GPTs for the large Spanish-speaking population in the district. There are few interpreters and bilingual staff in the district.

(2) Parent involvement has changed, but is still limited.

Many staff interviewed in this study noted an increase in parent attendance at GPT meetings. The district has allocated some of its resources to hire temporary staff to make home visits for the purpose of obtaining parents' signatures in order to facilitate testing. In several schools through this survey

parents have been included in the special education process for several years, with informal contacts made even before GPT meetings were convened. Some schools arrange GPT meetings to parents' time schedules, and even send staff to the parents' homes to pick them up for the meetings.

Despite some changes in parent involvement, it still varies greatly. Parent attendance at GPT meetings ranges from 85% or more in a few schools to 12% or less in others, but only in two schools in this survey did staff mention that parents actively participate in discussions at GPT conferences. In most schools parents often appear overwhelmed by the large number of professionals attending the meetings, and are unclear of the meaning or purpose of certain tests, despite staff attempts to clarify discussions. All the buildings have developed a standard letter informing parents of the special education process and their child's rights, but parents have not received in-service training from the LEA, and the letters sent them are sometimes incomplete descriptions, or contain jargon unfamiliar to the parents.

A local advocacy group has increased its parent-notification efforts, sponsoring parent training workshops, model letters, a booklet on P.L. 94-142, and greater lobbying efforts at the State Department of Education. Still, the parent role is limited. The class action suit publicized the role of parents in special education programming, but seemed to be more representative of a Legal Aid Society movement than a concerted parent effort.

(3) Response to P.L. 94-142 requirements affects borderline students.

As the LEA marshals staff, materials, clerical help and other resources to identify, test, diagnose and place children who fall within the P.L. 94-142 special education categories, some staff believe the child with problems not severe enough to be labeled "special" is receiving fewer services. Because of the increased time and paperwork demands placed on special education staff by P.L. 94-142, they are less frequently available to counsel regular teachers on "problem" students. Psychologists claim they too have little time for therapy sessions and minor services for children not qualified as special. Also, the LEA staff have not the time to inform or meet with the parents of these children. If a child is referred to special education, and the parents sign permission slips for testing, but the child is not determined to need special education, the parents are not briefed on test results. Therefore, if staff recommend a

psychiatrist or family counseling, it is unlikely the family will be told.

The legal pressures of P.L. 94-142 effectively move the LEA to serve the special education child, but may almost as effectively limit services to the "borderline" child.

B. GENERAL CONSEQUENCES

1. The LEA is improving special education programs and procedures.

Despite frequent complaints of too few staff and dollars, the LEA has managed to rearrange several administrative procedures to better serve the special education children, has established several new resource rooms, and is attempting to force principals to move self-contained classrooms for emotionally disturbed children from trailers into the school building. Resource teachers are scheduled in clusters to improve contact with each other to share information on students; a coordinator of special education looks at all IEPs before they are filed in the central office to ensure completeness; several new procedures to monitor home instruction placements were developed.

With the advent of P.L. 94-142, the district developed a "paper" system for recording all parts of the special education process. For the first time, an IEP form, parent consent for assessment form for psychological services and a form for recording specific learning disabled requirements are all standard. A formal GPT meeting occurs in all schools to discuss a child's special education program. Parent letters exist in all schools; parent signatures are required on all standard forms. The principal or vice principal now plays a systemmatic role in the special education process. However, the standardized roles and paper-work require an enormous time commitment on the part of the special education staff and general administrators.

2. Instruction and service delivery are affected by special education procedures.

A shift in roles and resultant behavior changes have also occurred in this LEA as a result of additional requirements. Principals have actively responded to central office memos requiring parent permission letters before conducting psychological tests. School building secretaries spend significant amounts of time preparing such letters. Social workers, guidance counselors, special education teachers, vice principals and principals have also increased the time

they spend contacting parents, either by phone or letter or home visit,

To ensure that the school building is not violating the child's rights, many principals request that all staff who have had or will have had contact with the child attend the GPT meeting. As a result, other duties suffer: guidance counselors in some cases now spend all their time coordinating GPT meetings; social workers make home visits to interview or pick up parents for GPT meetings; teachers spend less time in instruction.

3. Competition for time and resources exists between regular and special education.

Regular staff have a larger role in special education than before. Principals spend up to 25 percent of their time in meetings, contacting parents, preparing for due process hearings. Teachers attend GPT meetings and are consulted about short-term goals. Additionally, classrooms are converted from regular to special education; one school lost some math classrooms to "alternative" classes. Special education teachers receive special in-service; regular teachers have not. Generally, the regular staff believe special education is "taking over". The needs of the regular staff become secondary to those of the special education class, as new and formal procedures are developed for special education, pulling the regular staff into the process without any input from them.

4. Regular teachers are dissatisfied with their special education involvement.

Regular teachers complain that they have no choice as to which special education students are placed in their classes, and sometimes no prior knowledge of those children's schedules, citing class disruptions when the special education children are pulled form class. Regular teachers believe the arrival and departure of the special education children disrupts instruction for the regular students. The regular staff want further in-service on special education services in the LEA, on how to instruct the special education child, and on the GPT process. They further believe the GPT is an awkward procedure, requiring another GPT meeting whenever changes are made in the IEP. Since regular teachers only verbally provide information for the IEP, they resent having to attend the additional GPT meetings for the mainstreamed students.

CHAPTER III
CASE STUDY OF SITE A.2

Case Study Organization

I. THE CONTEXT
   - A. DEMOGRAPHIC
   - B. WEALTH
   - C. GOVERNANCE
   - D. LEA ROLE PLAYERS/ORGANIZATIONAL STRUCTURE
   - E. INTERNAL BUREAUCRATIC INTERFACE
   - F. EXTERNAL ORGANIZATIONS

II. THE SPECIAL EDUCATIOAN PROGRAM
   - A. ORGANIZATION
   - B. PRIORITIES
   - C. SERVICES/PROGRAM PROVIDED
   - D. STUDENTS SERVED BY CATEGORY

III. IMPLEMENTATION PROCESSES AND CONSEQUENCES
   - A. SPECIFIC CONSEQUENCES
   - B. GENERAL CONSEQUENCES

I. THE CONTEXT

A. DEMOGRAPHIC

This single-town, rural district is within an hour's drive of an urban area, but is outside any standard metroplitan statistical area (SMSA). Its economy has an agricultural base with little industry, although its population includes a large number of white-collar professional commuters. While it is probably unlike rural districts in other states, it is fairly typical of rural districts in this small, densely populated State.

As of October 1976, the total public school enrollment was 1,770 students in four schools: one high school, one junior high, and two elementary schools. By December 1978, enrollment had dropped to 1,610. In 1976-77 the LEA counted about 20% of its population as special education students (not counting 28 pre-school students); only 15 students were receiving full-time special education services.

B. WEALTH

According to the 1977 SEA's wealth ranking, District A.2 is about average in the State. That ranking is partially based on the State reimbursement of local expenditures for educating regular students. The total State contribution to the district has risen from $680,000 in 1976 to $800,000 in 1978.

As of Fall 1978, the district's expenditures breakdown did not include any specific special education categories. This masks rapidly expanding special education costs that have been approved by the Board. In the past two years, the most significant change in special education related expenditures has been pupil transportation, which jumped from $8,800 in 1976 to $21,00 in 1977, a 146% increase involving transporting two additional children to residential treatment centers. In 1978-79 an $18,000 increase in total transportation costs was projected. Tuition paid to non-public schools also jumped 62%, chiefly because of two additional outside placements.

C. GOVERNANCE

The School Board is elected biennially and is responsible to an elected town council. The School Board's formal policy manual was developed in 1973-74 and requires that the Board meet monthly. Board membership includes numerous professionals, doctors, lawyers, college professors, and the like. The School Board is on very good terms with the central administrative staff. An administrative staff member has made frequent presentations to the Board on P.L. 94-142 and its fiscal and administrative implications, and plans to keep the Board informed of the law's requirements. The Board is becoming increasingly concerned over rapidly rising educational costs at a time of declining enrollment, and, according to some, may be approaching a fiscally more conservative phase.

The school published an annual budget in the town newspaper. The budget is reviewed by the Board of Education subcommittee and is discussed at a public meeting of the Board. During 1977-78, in a departure from traditional procedures, the budget went to a public referendum because of its increased size.

D. LEA ROLE PLAYERS/ORGANIZATIONAL STRUCTURE

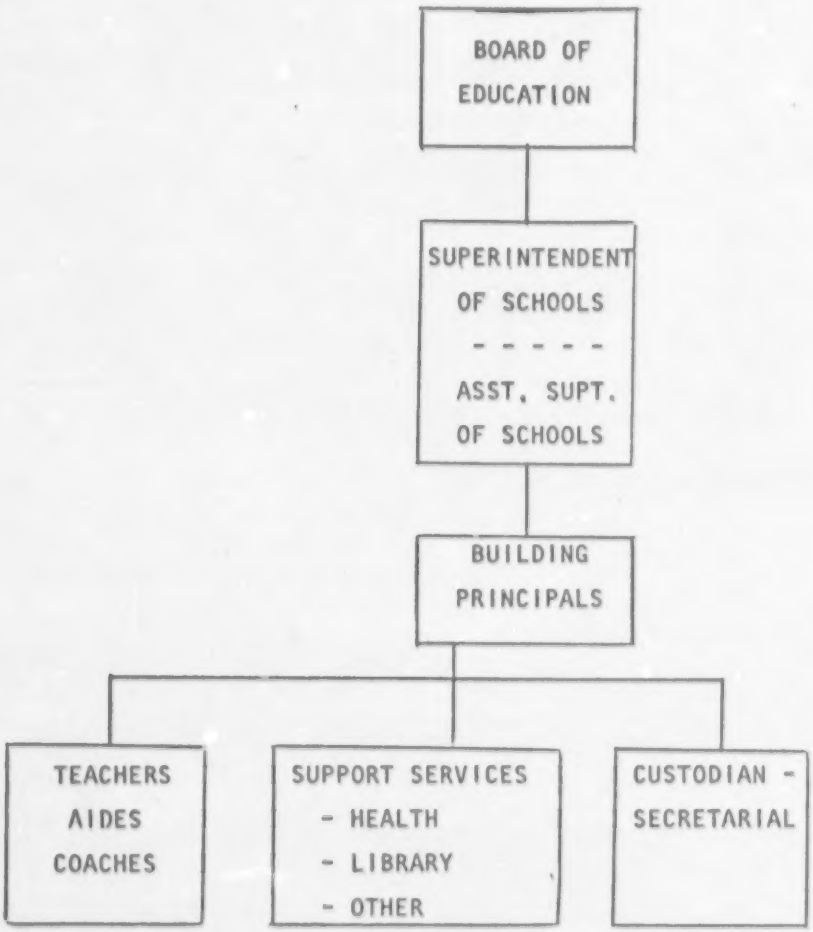
The Superintendent of Schools is appointed by the Board. The present Superintendent has held that position for over 15 years. The present Assistant Superintendent, who has had a tenure of over 10 years, is responsible for special and regular instruction, hiring of professional staff, preparing the annual budget, obtaining State and Federal funds, maintaining personnel files, applying for Federal grants, and acting as a representative on negotiating committees. The district organizational structure is illustrated in Figure A-VII. The Superintendent and Assistant Superintendent are the only central office professional staff in the LEA.

In 1977 the LEA employed 125 regular teachers in its four school buildings. The two elementary schools, one junior and one high school each has a principal, a part-time nurse, a guidance counselor, and a social worker.

E. INTERNAL BUREAUCRATIC INTERFACE

As noted above, the Assitant Superintendent reports to the Superintendent. A strong informal relationship exists between them because of the years they have worked together. The school building principals report to the Assistant

EXHIBIT A-VII: ORGANIZATION OF DISTRICT A.2
(MODIFIED)



Note: District A.2 does not have an offical organization chart due to its small size. This display was developed during an informal interview with the Asst. Superintendent.

Superintendent or the Superintendent, depending on which of the administrators normally deals with the specific problem area. The LEA has an administrative council, made up of the superintendents and principals, which meets weekly or bi-weekly to discuss administrative concerns, share managerial procedures, and the like. Regular and special teachers in turn, report to the principals. Faculty meetings are the chief mechanism for formal exchange between teachers, staff and the principals. Depending on the principal's style, regular teachers maintain varying levels of communication with the building administrators. In some of the buildings, strong informal ties exist between principals and teachers who have worked together for years. The level of communication in this small community often hinges on tenure in the school, and a teacher's inclusion in the informal communication network. Contract disputes have rarely occurred in District A.2, partially due to the small size of the staff and their frequent access to administrators. Teachers can contact principals and central office administrators alike with little difficulty.

F. EXTERNAL ORGANIZATIONS

District contact with outside agencies has become more frequent in the past year, but is still not heavy. A State-funded Regional Resource Center is used by teachers for in-service courses and materials, but rarely is used by the LEA for evaluations in instances where a child's problem is difficult to ascertain. Several area hospitals also perform educational evaluations but are rarely consulted by the LEA. On the other hand, parents often obtain an outside evaluation when in disagreement with the LEA over a diagnosis.

In the past year or so, neighboring hospitals and the regional center noted that the Group Planning Team (GPT) meetings and IEP preparation have improved LEA monitoring of children placed in these facilities. Communication channels are still somewhat separate. According to one source, when a child placed in an outside facility was sent back to the LEA, the LEA found out only when the child appeared back in the classroom.

The LEA has long felt the services provided within the district are superior to those outside, citing problems of long waits for evaluation results, and other lapsed communications. One staff member felt that cooperation with the Regional Resource Center would probably be strengthened since its new head was from the community local resource center, indicating again that, in this small community, informal ties influence operations. Some of the local treatment/

diagnosis centers have recently been asked to provide second opinions at due process hearings. The number of private, outside evaluations seems to have risen in the past year as a result of increased parent requests.

In Spring 1978, District A.2 expressed concern that outside social service agencies would stop providing some services, such as therapy and counseling, thinking the LEA should now pick up those costs with P.L. 94-142 funds. The only evidence of this concern is that one local treatment center is considering charging the LEA separately for expensive physical therapy costs and other related services, rather than including them in a total bill.

District A.2 has a fledgling parent group which was begun in Spring 1978 by a dozen or so parents who met with administration to discuss P.L. 94-142. The local chapter of ACLD has provided the group with advice and assistance.

The LEA seems to have little contact with the highly active SEA special education staff. The teachers' union is becoming somewhat more active in response to P.L. 94-142's mainstreaming requirement.

II. SPECIAL EDUCATION PROGRAMS

A. ORGANIZATION

District A.2 has a ten-year history of mainstreaming special education students and a five-year history of individualized instruction. The district's program parallels the State's long special education tradition even though A.2 has no "director of special education." The Assistant Superintendent is formally responsible for special education instruction, but actually shares that task with the Superintendent, special education support staff, and building principals. For example, the Superintendent handles special education-related tasks which have unusual fiscal implications (e.g., selecting outside placements, determining transportation costs for placements, and monitoring due process hearing procedures).

The principals independently decide the format of and staff participation in special education GPT meetings, IEP reporting, and forms of parent notification. Some principals assign support staff and special education teachers to develop the forms for reporting and notification, communicate with parents, and informally share information on mainstreamed children with regular teachers.

Special education support staff formally report to their building principal and the Assistnat Superintendent.. Because the district has no special education director, tasks in special education are divided among staff. The full-time psychologist has been assigned the task of completing the State-required child-count forms, and has begun monitoring IEP development and the use of short-term objectives.

When parents, administrators, supervisors, and staff were asked who was responsible for coordinating special education efforts, many different responses were given, ranging from specific teachers to principals to the psychologist or the Superintendent. The small size of the LEA and the long tenure of most of the instructors allow for strong, informal bonds among staff. Prior to P.L. 94-142, the informal system for sharing information on special education children seemed sufficient. After P.L. 94-142, with the hiring of new special education staff and new reporting requirements, the lack of uniformity among special education procedures in different buildings became a concern. In Spring 1978, staff organized the first special education staff meeting; in Fall 1978 on-going

committees were established to improve the special education process. Overall, the coordination of special education programs may suffer without a central special education administator. Since the district's special education program has only recently reached significant numbers, the LEA may not have viewed a special education coordinator of students as necessary. Furthermore, since special education staff report to principals, who now control referrals, placement, and other elements of the special education process, there is some principal opposition to hiring a coordinator, who might then put them out of touch with the special education children in their buildings.

B. PRIORITIES

Some special education priorities are shared by administrators, educators, and parents in District A.2; others differ. Improving communication among buildings, and special education staff and administrators, and developing systematic special education procedures in all four buildings are top priorities to most interviewees. A recent due process hearing revealed that special education procedures differed from school to school despite a standard special education policy document. A committee of special education teachers and administrators has been formed to determine more uniform procedures. Additionally, the administrative council has frequently discussed P.L. 94-142, particularly IEP preparation, group planning meetings, and the appropriate way to prepare for a due process hearing.

Linked to the priority of improving administrative procedures for special education is the growing sense that District A.2 may need a special education administrator. Although the principals seem to resist the idea of a special education director to oversee the special education staff and procedures with which they are deeply involved, the LEA has decided that the full-time psychologist should have more free time to handle districtwide special education tasks such as the reporting for child-count. Therefore, District A.2's 1978-79 request for P.L. 94-142 pass-through funds included $3,000 to hire a part-time psychologist to perform tests and to help up-date evaluations.

The district's Part B funding requests reveals a third priority -- improving home-school communication. As a result of concern on the part of the State hearing officer over District A.2's parent notification procedures, the LEA has

decided to expend $14,000 of their P.L. 94-142 funding to hire a home-school coordinator, whose chief responsibility will be to keep communication open between parents and building staff.

Although not a priority formally stated by District A.2, increasing the number of special education classrooms has been a major change during the past two years. Partially due to P.L. 94-142 and partially due to parental pressure, the LEA has added three new resource rooms since Spring 1978, one each in the elementary, junior, and high schools. No formal plan existed for this increase; district administrators may purposely play down the increases to prevent Board rejection of the growing special education program.

Other less urgent priorities are also illustrated in the Part B application. In 1977-78, the district requested merely additional dollars for field trips. In the 1978-79 school year, although again requesting money for more field trips, the LEA also asked for $2,000 for education materials and supplies for the new high school resource room. In Spring 1978, finding money for transporting day students to outside facilities was a big priority. To supplement its special education staff, the LEA hired 8 teacher aides with a CETA grant.

Other issues which do not seem to have a districtwide priority, but which were important to LEA building level staff include: in-service on P.L. 94-142 for regular educators and parents; better communication with outside special education facilities to facilitate better preparation of IEPs and improved tracking of services local children rarely receive when away from their home school; improved preparation for due process hearings to avoid professional embarrassement; and finally, more consistant communication with the SEA. Some of these factors will be further detailed in the consequences section.

C. SERVICES/PROGRAM PROVIDED

By Fall 1978, the LEA had increased its special education staff to include 16 full-time special education teachers. One EMR, one speech-impaired, four emotionally disturbed, five learning-disabled, four resource rooms, one hospital-home teacher. The district has the equivalent of one special education guidance counselor -- three people each contributing 1/3 of their time. The nurses contribute 1/3 of their time to special education; one full-time and one half-time

school psychologists allocate 80% of their time in special education. In addition, 12 teachers' aides work in the district's special education program. The district has also hired a home-school coordinator to encourage communication between parents and district staff.

D. STUDENTS SERVED BY CATEGORY

In the 1977-78 school year, the district for the first time was required to submit computer forms to the SEA for each special child. Due to the newness of the system, the LEA and SEA differed in their interpretation of the identified children, the LEA counting 234, the SEA accepting a count of 214, or 13% of the student population. The LEA admitted that the larger figure might reflect some duplication. The breakdown recorded by the SEA according to its computerized system is displayed in Exhibit A-VIII. This latter breakdown is the one submitted to BEH. The SEA requirement for a formal count stimulated better LEA record-keeping; the LEA breakdown was unavailable in Spring 1978.

EXHIBIT A-VIII: STUDENTS SERVED BY CATEGORY

CATEGORY	SERVICES BEING PROVIDED			
PRIMARY DISABILITY	WITHIN DISTRICT	OUT OF DISTRICT	BOTH	SUB-TOTAL
LANGUAGE	2	1		3
ARTICULATION	35			35
VOICE/FLUENCY	6			6
NEUROLOGICALLY IMPAIRED	3			3
ORTHOPEDICALLY IMPAIRED	1	1		2
EMR	3	1		4
TMR		1		1
LEARNING DISABLED	65		1	66
SOCIAL MALADJUSTED	45			45
EMOTIONAL DISTURB.	19	1	1	21
OTHER HEALTH IMPAIRED	1			1
INTELLECTUAL	45		5	50
AUTISTIC	15		1	16
UNCATEGORIZED	18		1	19
TOTAL	258	5	9	272
******* TITLE I			IN PROGRAM	7

III. IMPLEMENTATION PROCESSES AND CONSEQUENCES

A. SPECIFIC CONSEQUENCES

1. Childfind

a) Childfind Process

Formal childfind activities (to identify children in school who are not receiving services or those not in school at all) are chiefly coordinated at the State level by either the State Department of Education (SEA) ot its regional education centers (REC). Since November 1976, the SEA has funded childfind projects in regional centers to (1) disseminate SEA-prepared booklets on childfind services, which the district then displays in school buildings; (2) evaluate first priority children; (3) provide specialized diagnostic services for second priority children or those in need of additional testing to determine their exceptionality; and (4) run classes for children with low incidence exceptionalities (deaf, blind, trainable mentally retarded). Prior to Fall 1978, when the LEA was mandated by P.L. 94-142 to have identified its first priority children, the district was reimbursed by the SEA for the total cost of REC evaluation of first priority children; the LEA still receives partial reimbursement for REC evaluation of second priority children. The LEA has not used REC services to any great extent.

Required by P.L. 94-142 to report its childfind figures to the State, the district provided assurances in its P.L. 94-142 application that it had identified and served its first priority population. Of its second priority population (those severely handicapped who are in need of additional services), four were labeled as speech impaired, 24 as seriously emotionally disturbed, and 55 as learning disabled. The 1978-79 Part B application does not contain second priority figures since those are incorporated in the new State-required computer forms for childfind.

Despite infrequent use of REC childfind services, District A.2 has established, though somewhat informal, practices for identifying its special education population. District policy reflects a concern for early identification.. The LEA sponsors a pre-kindergarten and pre-first grade four-week summer program

for children with "developmental and/or self-image problems" who are identified in annual spring screenings.

No formal referral policy for children already in school existed in District A.2 prior to 1977-78. Consequently, procedures varied from school to school. A regular teacher having problems with a child would informally discuss instructional alternatives with the guidance counselor in the junior high or high school, or the principal in the elementary schools. Parents, physicians or outside agencies seldom referred a child to the principal or central office administrator. Because the principals were familiar with the student population, they frequently made initial referrals. In the secondary schools the guidance counselor tended to make initial referrals to the principal. At the secondary level. teachers reviewed a student's files in the guidance office to determine if s/he had any other reported problems. If these informal steps were insufficient. the principal, core special education staff, and psychologist discussed the problems at a weekly staff meeting. If further alternatives were unsuccessful, the teacher filed a districtwide form for referral to psychological services. Parents were often called by the principal or psychologist to inform them that their child had been referred for testing for special education.

Once the referral was made, the regular teacher was generally no longer kept informed of the child's diagnosis. In fact, referrals could be made by speech clinicians or reading consultants or others, without the regular teacher's knowledge. But, it was highly possible that the regular elementary teacher would have informal contact with the special staff and discuss the child's prognosis. Regular teachers at the secondary level were rarely aware which students were receiving extra services, partially because of the district's attempt to avoid labeling.

A new district policy document on special education describes formally the referral process that staff should follow when first identifying a child who may need special education instruction. The document is distributed in the schools, but speaks to the community as a whole, encouraging parents, community agencies, and outside professionals to refer potential special education children.

b) Childfind Consequences

There are four consequences identified in District A.2 which relate to childfind.

(1) The State-funded referral center for newly identified children is rarely used.

The availability of State-funded regional diagnostic and referral services has had little impact on this district. In addition, when the REC has been used, the district has been dissatisfied. Communication between the REC and the LEA is minimal. One staff person said the district had referred one child for additional diagnostic services to the regional office last spring, but felt it took too long for test results to be returned and so has not referred any other children. A few parents echoed the district's experience, citing instance of long waits for appointments for testing or confusion on the part of the evaluators recommended by the regional center as to appropriate procedures to follow for reporting testing information, etc. Lack of communication and confusion as to the responsibilities of each have limited the usefulness of the REC in the referral process.

District dissatisfaction has resulted in an informal decision not to use the regional center and instead depend on local facilities. Unfortunately, local dependence on its own diagnostic facilities, or others outside the REC, takes staff time and additional resources.

(2) State-required childfind forms have changed district procedures for identifying children.

In order to complete State-required childcount computer forms and receive its first P.L. 94-142 reimbursement, this LEA assigned two staff members to complete a form on each special education child. They spent two months away from their normal testing and counseling tasks. The staff claimed that the computer forms required information for which the district had no formal records, such as specific labels, time spent in different classrooms, etc. This district has never labeled children, but since the completed computer forms required a description of each child's major program, the staff made the determination to complete the form. As one psychologist described it, she often had to "fit a square peg into a round hole" to complete the forms and be eligible for Federal dollars. Consequently, some concern was expressed as to whether the forms were truly accurate. In Fall 1978, the second time district staff had to

complete the forms, several weeks of direct service were also diverted.

(3) As the formal referral system develops, informal communication among staff decreases.

In direct response to P.L. 94-142, this district has developed a formal referral process: teachers submit a form to the principal, guidance counselor, or school psychologist asking for special education services for a student. In Spring 1978, many principals, teachers, and special education staff (i.e., social workers, reading consultants, psychologists, and guidance counselors) thought P.L. 94-142 required this formal referral system and that the system, in turn, should not include informal discussions about referrals as parents would not be privy to the information. As a result, uneaseiness over informal communication existed; teachers complained that they less frequently discussed instructional alternatives. It was difficult to determine where the "informal discussion ban" arose, but most teachers and staff directed their resentment over the ban directly at P.L. 94-142.

During 1978-79, less mention was made of the lack of informal discussion, although a few interviewees again said they were uncomfortable about meeting to exchange opinions on a potential special education child's problem. Several other staff also mentionaed that informal discussions were difficult because of the time they had to commit to completing forms and attending planning meetings.

(4) Teachers may refer fewer children.

The new formal process does not encourage more referrals. Many regular teachers are now reluctant to refer children because of the infrequent informal communication. They are less sure of their interpretation of the child's need and do not want to look foolish at a formal meeting, which is their first opportunity to discuss the child. Also, they dislike the thought of all the paperwork required. The formal system provides no incentive for referral. Some regular teachers complain they will not receive formal feedback on what happens to a child after referral. As one teacher mentioned, she called a child's mother to learn what happend after the referral. Another outcome of the new referral process is that the principal has become key; nothing happens without his or her concurrence. Teachers occasionally go to the principal to discuss

a referral and the principal disagrees; the referral proceeds no further. If a teacher does not have strong ties with the principal, this too might discourage referrals.

2. Assessment

a) Assessment Process

Until Fall 1977, the principal and psychologist usually made decisions about what tests to administer to whom. Parents were informed by phone by the principal, guidance counselor, or special education teachers that their child might have a disability and some tests were necessary. Regular teachers often were not told about testing.

The psychologists performed at least one test, such as a WISC or Stanford-Binet; and, occasionally, conducted educational evaluations. The psychologist could decide who to test first using informal criteria (such as whether the child was disruptive in the classroom) or simply first-come-first-served. Prior to 1975, s/he often began testing before parent approval was obtained.

Guidance counselors were not involved in testing; regular and special education teachers, particularly at the high school level, rarely performed educational evaluations or made behavioral or social assessments. The reading consultant routinely tested children whose group reading test results indicated additional tutoring was necessary. Children requiring reading or speech services were generally not considered special education students unless they had additional handicaps as well. Because of the LEA's policy of not labeling children, and not having criteria for placement in special education classes, it is difficult to judge whether children with reading needs were actually special. These children received psychological testing only if the reading teacher requested the psychologist to do such tests.

After tests were completed (usually a week after referral), the psychologist and principal met again to discuss test results and placement alternatives. The psychologist kept test results in a confidential file to which others did not have ready access. The principals maintained math, reading, and planning meeting files. Due to staff changes in the district and the lack of a master list of when tests were given to whom, it was difficult to determine when

when retesting was performed prior to 1977, although the spring review of children's programs sometimes involved retesting before new placement. Additionally, the testing policy was informal; principals established policy building-to-building, and instances occurred where children were placed in resource rooms for math or reading tutoring to determine the severity of their need, prior to the administration of any tests.

Most elements of the testing process have been unaffected by P.L. 94-142. Psychological tests are still the chief measure for a diagnosis, although some of the new LD teachers conduct educational evaluations. Although the district feels compelled by P.L. 94-142 to put all special children through a group planning process, tests are still not administered to all of those children.

b) Assessment Consequences

There are two consequences of P.L. 94-142 which relate to assessment.

(1) Assessment procedures vary depending on who refers the child..

The type of diagnosis used in this district has remained basically unchanged despite P.L. 94-142. The psychologists administer a psychological exam as the main determinant of diagnosis. Some teachers (e.g., LD, EMR, and the reading consultant) seem to be performing more educational evaluations, but the use of formal educational evaluations is sporadic and depends more on teacher preference than on any formal policy. For example, although a new LD teacher is conducting educational evaluations and consulting with regular teachers, other special education teachers seem not to be. Educational evaluations do not seem to carry as much weight in assessment decisions as do psychological assessments.

On the other hand, in a small rural community such as District A.2, there is a strong dependence on informal communication in the assessment process. Despite the P.L. 94-142 mandate that more than one formal measure be used to diagnose a child, informal educational and behavioral observations are still the chief supplement to the psychological test. In fact, since more teachers and staff attend planning and placement meetings, more of these informal communications are exchanged now than before the law. However, regular and

special education teachers often have to leave these meetings early, sometimes not learning of the result and thus getting little sense of the worth of their contribution. In addition, the decrease in informal communication prior to the parent-attended planning meeting has affected some staff's level of observation. The formal process makes them more reticent about sharing observations when they are unsure of others' opinions and do not want to appear foolish or unknowledgeable.

The system for performing and reporting diagnostic tests has changed as a result of State and local interpretations of P.L. 94-142 assessment requirements. First, psychologists spend at least one month a year completing State-required computer forms for special education pupils. This leads to testing backlogs. In Fall 1977, for the first time in this district, children had to wait up to a month to be tested. Initially, this backlog seemed the result of start-up activity, but it continued in Fall 1978. The combination of lengthy assessment reporting forms, and longer and more frequent planning meetings has also increased the wait for testing. To compensate for time used in testing and attending meetings, the psychologists have curtailed their other duties, such as counseling with students and regular education teachers. Teachers are now performing some new assessment tasks that formerly were exclusively done by psychologists.

The time crunch has also led to less complete assessments, according to the psychologists, who may now only have time to complete one test prior to a planning meeting. To stay in compliance with P.L. 94-142's required time frame for testing, but still complete other tasks, the psychologists have developed some coping strategies. A psychologists may start a test within the P.L. 94-142 assessment time frame, but not complete the test until s/he has the time, or may notify the principal when a test is complete so a planning meeting can be set up, but often the test results are not written up or distributed prior to the meeting.

(2) The LEA is resistant to labeling children by handicapping condition.

In 1977, the State instituted a computer-based information system to ensure accurate child counts. Each district received carbonized forms to complete for each child, including information such as major program, time

spent in special education class and regular class, etc. This was the first time District A.2 formally labeled each special child. Although the children counted on these forms conform to State and Federal definitions of handicapped, the district dislikes labeling children as special, and still has few strict guidelines for what classes are special education. No diagnostic labeling appears to be made in District A.2. In other districts in this State, which also do not label children, numerous placement options exist. Definition is provided by the Placement itself. in a small district, such as District A.2, with fewer placement options, and no labeling definitions, a child's problem may be less clear to staff and parents.

Because of its limited (but growing) number of special education classrooms, this district has frequently used other extra-regular programs to serve its handicapped population -- outdoor education, adaptive physical education, summer remedial programs, and speech. Perhaps because of this tradition, the district has interpreted P.L. 94-142 as requiring special education processing for all these extra-regular programs. Therefore, outdoor education, summer remedial programs, adaptive physical education, and speech are now considered special education placements. Although no formal criteria exist as to how to process all these new exceptionalities, it appears that some informal system has evolved. Children formerly considered special education (i.e., those with multiple handicaps, those more than one year behind in reading, those who test positively for EMR, ED, or LD) are processed through the entire special education system from referral to placement. Children considered for placement in outdoor education, summer remedial programs, and adaptive physical education seem to be run through a truncated version of the special education process to satisfy the LEA's perception of P.L. 94-142 requirements. In most of these latter cases, the psychologist, guidance counselor, special education teacher, and/or principal may develop a screening device, screen the children, then allot ten minutes per child for a meeting to discuss placement and prepare an IEP. Staff blame P.L. 94-142 for this rushed, unsatisfying, and yet time-consuming process.

The district does not appear to count children in the summer remedial programs when applying for State special education funds; outdoor education students qualify for Title I money and so do not receive P.L. 94-142 dollars.

Nevertheless, the LEA believes the new Federal law requires individual processing for all these students. Since the GPT is the only formal referral process in the schools, it is an excellent way to get feedback from other staff. The LEA fears due process repercussions if a child who needs more than a regular program is not processed through a formal group meeting; the GPT is a logical vehicle.

In Fall 1978, to better identify childrens' needs, the district began preparing criteria as to what exceptionalities should receive what tests, and which children should be classified as special education.

3. Placement

a) Placement Process

Until 1977, placement decisions in this district were generally made in a group meeting by the principal, guidance counselor, psychologist, and, sometimes, the special education teacher. Parents were usually involved in the meetings, if a major change in schedule or program was planned, that is, if a resource room, self-contained, or outside placement was being recommended. Parent involvement in the group meeting was often made unnecessary by an informal phone call about program changes. If placement involved a minor program change, such as speech or reading instruction or outdoor education classes or additional time in a resource room, parents were often not told.

Placement usually occurred immediately upon identification of a problem. Several teachers commented that, prior to P.L. 94-142, children were placed in special settings for observation prior to testing, occasionally the day after the regular teacher spoke to special education staff. Regular teachers were usually told informally by the special education staff of placement decisions. Still, many regular teachers, particularly those in high school, were unaware of the special services which mainstramed children received and, usually did not coordinate regular instruction with special services. In some schools, teachers did receive a list, every fall, of children with academic or physical problems who would be in their classes.

Prior to P.L. 94-142, placement options for the special education student were limited. At the secondary level, placement included only (1) in-class instructional alternatives the regular teacher implemented; (2) outdoor education; (3) math and reading tutoring; or (4) the self-contained educable mentally

retarded (EMR) class. The elementary school LD teacher occasionally assisted secondary level LD students for whom there was no class.

Until 1976, placement recommendations made at the elementary level were: (1) the full-time, non-categorical resource room; (2) a change in schedule to include learning workshop time (perceptual motor training and counseling) or resource room time (reading and language tutoring); (3) having the learning workshop teacher work with the child in the regular classroom; (4) psychological counseling; or (5) family or student counseling at a clinic outside the district. Outside placements were infrequent, except for a cooperative EMR class outside the district.

Placement alternatives are still somewhat limited, but growing. The district seems to have no formal plan for increasing its special services; yet, over the past two years, more programs have been added. At the elementary level, additional resource room classes were established for children with severe emotional, auditory, visual, or academic problems, and one class for the hearing impaired was funded by the REC, although the district donated the classroom space. At the high school level, a learning workshop existed from 1969 to 1974 for behavior and "attitude problems" students, including some LD children. Then, in 1974 when the workshop teacher left, a regular teacher began instead a math workshop, which handled most of the children formerly in workshop. In 1975, the outdoor education program was begun through Title I funds and replaced the workshop altogether. The first learning resource room at the senior high was created in September 1978; the first learning resource room at the junior high was begun in June 1977 for children with LD, visual, or auditory problems. A second resource room at the junior high will be established in Fall 1979.

b) Placement Consequences

Six consequences assoicated with student placement have been identified.

(1) Placements are made on the availability of services.

The district's initial reaction to P.L. 94-142 requirements was to develop policy for the placement process and staff roles related to that process, not to increase the range of placement options. Although the district has expressed some concern about the completeness of its programs, P.L. 94-142 has only slowly stimulated any change. Secondary level classrooms are few: in Spring 1978, the single high school special education class was for the

educable mentally retarded (EMR), until an LD class, that Fall, absorbed some learning disabled children. The junior high has one special education class for the learning disabled. To an outside observor the range of options appears limited. But the process used by the district to determine placement camouflages these limitations (see discussion under Assessment).

The district's reticence in citing program gaps might be intentional to avoid undue attention to the slow, gradual addition of special education classes. Since this project began in Fall 1977, four new special education classes were established. Administrators may be fearful that the School Board or community would reject a formal, two-year proposal for four new classes, but would accept the slow addition of these classes over time as needed.

(2) Placement criteria are unclear.

Prior to P.L. 94-142, placement simply depended on a psychologist's, principal's, or teacher's determination of a child's need. After P.L. 94-142, the district established a process for placement meetings but no firm criteria for why children are placed in special education classes. Partly due to the district's unwillingness to label children, most are without a label and are placed in a non-categorical room where the teacher determines the type of instruction the child needs.

(3) Teachers are more sensitive to the need for uniform programs.

Formalization of the placement process has had some positive effects. In some schools, for the first time, regular and special education teachers are now involved in formal placement meetings. As a result, previous informal communication among special education staff and administrators is now regulated by broader consideration of special education problems and instructional alternatives, group placement decisions, greater awareness on the part of regular teachers as to the special education teacher's role, and, finally, greater willingness by regular teachers to accept mainstreamed children. One example of the change occurred at a recent secondary level placement meeting, when the EMR secondary level teacher was invited for the first time to an elementary school to discuss a placement.

(4) Instruction and administration time is used for diagnosis and placement.

The increased communication brought about by more frequent, formal contact has been matched by a series of negative impacts. First, involving such large numbers of staff in weekly planning meetings has decreased the amount of instruction provided for all children. Regular and special education teachers leave their classes to aides, substitutes, or art and music teachers. Teachers are concerned about the disjointed instruction their classes then receive. Other teachers must use planning periods for special education placement meetings and dislike committing class planning time to one child. Furthermore, with more attendees, meetings are twice as long as those held prior to P.L. 94-142, further limiting the time of all staff. In addition, despite the hour or two spent in these meetings, decisions are often not reached, and a second or third meeting must be scheduled for the same child.

All the scheduling and rescheduling necessary to ensure attendance of the appropriate staff and parents has taken its toll on clerical staff. Principals have reshuffled clerical staff to complete all the placement letters, agendas, forms, activites, etc. One principal unsuccessfully petitioned the Board for a new vice principal just to handle the administration of placement meetings.

As a result of local response to P.L. 94-142, principals now spend up to 50% of their time coordinating and attending placement meetings and even occasionally writing IEPs. All the principals interviewed expressed concern that the increased time spent on special education placement dramatically cut into their time with regular children. Others felt they need more in-service training on special education placement meetings since other equally important meetings on building policy or staff changes have been delayed or cancelled to accommodate special education placement conferences. Numerous staff felt they had limited experience in presenting data to large groups, and formerly tended to share such data only with one or two other staff.

(5) Some children wait for placement.

The increased time needed to schedule and hold placement meetings, and to wait for parent approval and test results has caused a placement waiting list

of up to two months. Prior to P.L. 94-142, children were occasionally placed in a special education class the day after the regular teacher identified a child. Tests were conducted and parents were notified after placement. Instances still occur where such placements are made, particularly if staff decide the program change is minor (e.g., another hour in a resource room). On the whole, children are no longer placed until all the steps have been completed. Yet, with District A.2's past history, some staff resent placement delays of any length.

(6) The LEA makes few outside placements.

As reflected in the discussion of the regional referral center above, District A.2 has had minimal contact with outside special education facilities. Prior to P.L. 94-142, LEA staff rarely considered using outside placements to supplement local programs. But now, group discussions at GPT meetings have lead to consideration of local regional programs, or university-based programs. The LEA has minimal communication, however, with such resources, and seems to feel that outside diagnostic facilities sometimes recommend programs for children without being aware of the resources available within the LEA. Some district staff believe it is more beneficial for children to be instructed in home school buildings. When outside placements are being considered, the staff from that facility are infrequently asked to attend planning meetings. The LEA in turn may be unaware, if a child placed outside receives the services prescribed in the IEP, or if the IEP is followed or re-written. LEA staff cite instances of outside facilities' telling parents that their services are better than the schools' or of outside facilities' not informing the school of the student's status, and so on.

Despite this strong tradition of dependence on in-school programs, in Fall 1978, change had started to occur. Teacher and staff discussions at GPT meetings have led to the realization that some children, particularly those at the secondary level, may need to be served in outside facilities until more complete services can be provided in the LEA. Therefore, in Fall 1978, district staff, somewhat concerned that the single LD and EMR classes were not sufficient placements for some secondary students (particularly ED), have begun exploring outside placements for 10 such students. In the previous fall, only 1 student was referred to outside placement.

4. IEP

a) IEP Process

Through September 1977, most school buildings in this district had on file for each child, a written IEP-type document, which described annual instructional goals, program recommendations, and placement meetings attendees. The document was not prepared in a group meeting. Rather, notes were recorded at the meeting (as mentioned before, the principal, psychologist, and less often the guidance counselor, elementary resource room teacher, and parent attended these meetings) and distributed to school building attendees. Parents never saw the notes or the IEP-type document, but the special education teacher or regular teacher to whom the child was reassigned used the notes as guides for classroom instruction or related services. Then, the resource room teacher of the guidance counselor wrote some broad goals which the principal incorporated into a placement report kept in both the child's building file and the Superintendent's office.

A new IEP format, and staff roles regarding its implementation, were issued in a 1977 policy document. According to this document, the IEP should include: placement discussions about referral, psycho-educational needs of the notes on the meeting, incorporating the major instructional goal decisions of the placement team. Individual teachers are to prepare specific objectives within 10 days after the placement meeting on another form, which must also list:

- reason for referral
- present level of education performance;
- services recommended;
- justification;
- annual goals; and
- breakdown of time spent in special education and regular programs.

The parent's signature is required on the initial form, which the psychologist keeps on file. Usually that is the only copy; teachers look it up in the file to review the objectives agreed upon at the planning meeting.

Some in-service meetings were held for special education staff in Fall 1977 to discuss the IEP, particularly the behavioral objectives about which teachers were concerned. However, the preparation of IEPs varied from school to school. Newly referred children had IEPs which had been prepared at placement meetings.

Few IEPs were prepared for children already placed in special education classes until Spring or Fall 1978. In Spring 1978, some principals monitored whether teachers were completing the short-term objectives forms.

b) IEP Consequences

There are five IEP related consequences of P.L. 94-142.

(1) The IEP is used as a monitoring tool.

Since no formal IEP document was required by the LEA prior to P.L. 94-142 and the IEP format contains elements required by the Federal law, most respondents in this study viewed the document as an accountability or monitoring tool and little else. Several procedures adopted in the LEA support this theory. At GPT meetings, IEP long-term goals are written and then filed in an administrator's office to be available for monitoring review. Teachers may refer back to the filed document, but generally view the IEP as a monitoring rather than instructional tool. Because the IEP is viewed as such, some staff admit that the document is written to reflect services available rather than the child's precise needs. Many district staff believe (despite some program gaps) that the district can respond to most special education needs, and therefore feel it is appropriate to write the IEP to reflect district services rather than a child's precise needs. Also, the district is fearful that it will be held liable for services recommended on an IEP and, therefore, must be careful to prescribe available services. One staff person claimed she was recommending counseling less, because she knew the guidance counselors had little time for counseling anymore. Furthermore, the district used to recommend family counseling for which families paid themselves. The LEA tends not to do so now because it does not believe it should pay for this service, but fears it would have to do so if such counseling were listed on the IEP. Finally, some teachers admit they write broad objectives because they do not want to be responsible for unattained progress when unsure of a child's ability.

Another spin-off consequence of District A.2's use of the IEP as a monitoring document is that, in Spring 1978, the IEP replaced the minutes which were previously kept at GPT meetings and later distributed to attendees. Since, as mentioned above, the IEP long-term goals are not distributed, staff tend not

to use the IEP in the same manner as the minutes, to check on commonly-determined goals. As one staff person complained, filing the IEP limits its use. Formerly, teachers received minutes from planning meetings to guide instruction decisions; now, they often must stop the psychologist in the hall to be reminded of long-term goals. Many staff, unaccustomed to using a child's file as an instructional resource, do not take the time to track it down.

The district involvement in a due process hearing in Fall 1978 reinforced the IEP's usefulness as a monitoring tool when the LEA discovered a specific IEP is necessary to justify program decisions. Some schools now prepare minutes again since the IEP only records elements required by law, not all areas which might be covered in a hearing.

Several positive impacts have occurred with this new emphasis on monitoring through the IEP. First, some staff have initiated review structures to monitor the success of IEP objectives. District policy prescribes an annual review of each student's IEP by the placement team. In Spring 1978, a staff member distributed such follow-up to teachers, asking for information on student progress, appropriateness of goals, and whether any program changes may be necessary. This questionnaire was only sporadically completed by teachers. It is still unclear how, or if, the district will use it. Nevertheless it is the first attempt on the part of the district to monitor the relationship between classroom instruction and group planning decisions. In addition, in other schools, pupil progress report forms are being developed, or the guidance counselor is periodically sending out a checklist for recording pupil progress.

Some regular teachers, although they have yet to write an IEP, are eager to be included in the special education process. Despite the length of time the IEP may take to prepare, they hope to use the IEP to coordinate the special education instruction for the mainstreamed child. Furthermore, the IEP has initiated increased program discussions at faculty meetings, and the first districtwide meeting of the special education staff.

(2) Short-term objectives are developed after GPT meetings.

After the planning meeting, a special education teacher is responsible for writing short-term objectives and submitting them to the principal. In Spring 1978, with no timeline for the completion of IEPs, teachers made individual

decisions about when short-term objectives should be completed and what they should contain. Since no further IEP training sessions were planned and no guidelines provided on an IEP deadline, it was unclear when, or if, IEPs would be completed. Few of the teachers interviewed in Spring 1978 had prepared short-term objectives; those who had claimed they rarely used them. Several teachers admitted they were unsure how to write appropriate psychological objectives, so in many instances short-term objectives were a simple paragraph, on the back of the IEP form, which parents rarely saw.

In Fall 1978, the due process hearing illustrated to the LEA that, if only to support its position at a hearing, it should take more care with IEPs. Coupled with teacher complaints about being unfamiliar with short-term objectives, the hearing inspired the LEA to develop a new IEP format for recording short-term objectives and thus improve their content.

(3) IEPs to be used in the fall are prepared for spring program reviews.

As mentioned above, IEPs are updated or newly prepared primarily at Spring reviews of children's programs to ensure that already identified students have IEPs by fall. Time will, therefore, be available to prepare IEPs for new students before the October 1 deadline. This procedure seems to have become fairly standard. IEPs are reviewed in the spring and then supposedly used by a child's new teacher in the fall. Short-term goals are "re-prepared" in the fall.

(4) Staff are becoming more sensitive to the need for more uniform programs.

Staff are becoming concerned that the IEP does not reflect the child's needs in the fall, that suggested programs may be unavailable if the child has changed schools, and that the new teacher may disagree with and therefore not use the IEP. Teachers in some cases are coping by writing general objectives, or not using the IEPs as instruction guides, or referring a child back to regular education if they disagree with the IEP.

(5) The IEP changes staff roles.

Writing the IEP has also had important role impacts in this district. The guidance counselor at the secondary schools has been assigned the responsi-

bility of coordinating writing, typing, and distributing IEPs, and his role has changed as a result: he rarely counsels anymore. In other instances principals and psychologists write long-term goals after group planning meetings.

5. Least Restrictive Environment

a) Least Restrictive Environment Process

This district assiduously downplays special student status. Children are not labeled by exceptionality; teachers are often unaware that children are receiving special services and staff thoroughly disliked attaching labels to children in order to file the State childcount forms. Since the system does not assign labels to special students, has few formal guidelines for placing children, and avoids outside placements, it is difficult to determine if children receive services which match their needs. The special education classrooms at the elementary level consist of three non-categorical resource rooms which serve all exceptionalities: auditory, visual, emotionally disturbed, learning disabled, and academically impaired. Children are roughly divided into the three classrooms by the severity of their handicap. That is, children with IQs of 80 or below are placed in a LD rooms for basic skills. One of the other resource rooms serves those with less severe handicaps; the other, more severe. All of the children are mainstreamed into regular classes for some part of the day, except outside placements. The elementary education teachers seem satisfied with the special education program. Three resource rooms makes them a visible component of the school. Frequently, informal communication occurs among special and regular staff. One regular teacher mainstreams his regular students into the special class to increase communication between the two groups of students.

Dissatisfaction does exist among staff and parents over the lack of special education programs at the secondary level. The first special education class at the junior high was a resource room established in September 1977. The addition of the resource room was not a result of P.L. 94-142; the Assistant Superintendent had wanted a program in the junior high for some time. In Fall 1978, a high school resource room was added.

District A.2 is proud of its history of mainstreaming. A cooperative EMR classroom has been in the high school for almost 10 years. For four years

the district has provided a classroom for the severely hearing impaired children of the region. District staff have avoided making outside placements, believing district programs are, in most cases, better. However, the district utilizes outside placements for severely MR and orthopedically handicapped as well as LD children, who the district feel will be better served by non-school programs.

b) Least Restrictive Environment Consequences

Three LRE consequences of the law are evident.

(1) With no concrete accountability mechanisms, revisions are few.

The LRE provisions of P.L. 94-142 have had minimal impact on District A.2. This district has a long history of special education programming reflective of the rest of the State. It has had a cooperative program for the mentally retarded for almost ten years; it supplies classroom space for a regional program for hearing impaired; it has no self-contained classrooms. Although these factors are not guarantees of LRE, this district believes they are indicative of a long commitment to the principles of LRE. Another factor may also account for minimal impact of LRE in District A.2 Neither state nor Federal law precisely defines the least restrictive environment; the Federal law requires little formal accountability for this assurance and in a district where the chief response to the law is in areas requiring accountability, District A.2 seems to spend more resources on P.L. 94-142 assurances requiring documentation.

(2) The district is more open to outside placement.

Increased awareness of P.L. 94-142 has encouraged district staff to consider outside placement as the LRE, if district resources seem insufficient. One placement meeting where a child seemed unable to be served in the district resulted in two staff making a visit to an outside placement. Previously, the Superintendent performed such reviews.

(3) Staff and teachers would like more in-service training.

Many of those interviewed claimed most regular teachers accepted mainstreamed children, albeit the teachers of music, art, and gym most often receive the mainstreamed children. The general impression in this LEA was that regular

teachers would be more receptive to the special child in the classroom, if they were trained to recognize different exceptionalities, and to prepare instruction to suit their needs. Special education teachers also wanted in-service training to learn how better to communicate the needs of special education children to regular teachers.

6. Due Process/Parent Involvement

a) Due Process/Parent Involvement Process

Prior to P.L. 94-142, this LEA maintained informal contact with parents of handicapped children. Principals, psychologists, guidance counselors, and teachers often called parents if it appeared a child needed placement in a resource or self-contained classroom. No formal guidelines existed as to when or how a parent should be notified, so parent notification differed from building to building. As a result, children were sometimes placed in reading, speech or outdoor education (the LEA's euphemism for a class for children with ED or LD problems at the secondary level) without parent knowledge, often because the district considered such placments to be minor program changes.

No parent group existed in District A.2 From the district's perspective, the community was small enough that parents could informally approach the staff with problems. Some parents, on the other hand, stated that such special education classes were established in the LEA only at their insistance as their children progressed from one grade to the next. In summary, district home contact before P.L. 94-142 was informal and sporatic.

b) Due Process/Parent Involvement Consequences

Eight consequences of P.L. 94-142 have been identified as relating to due process or parental involvement.

(1) Informal home-school communication continues.

Prior to P.L. 94-142, District A.2 only informally told parents of changes in a child's program. Children were often placed in special education classes, with parents receiving a call or letter afterwards requesting their permission. Although the district has adopted formal notification procedures, undefined areas still lead to an informal approach to contacting parents. At times this

approach greatly eases parent concerns, at other times it leaves parents somewhat alienated. For example, much variation still exists from school to school as to whether parents review their child's short-term objectives or are informed when a program change is made after the GPT meeting. Principals or their clerical staff seem (informally) to have this responsibility and in some schools systematically send short-term objectives to parents. Other principals believe their responsibility stops with the GPT notification letters. Others argue that parents do not seem to react to short-term objectives when they are sent home, so do not need to see them. In two other schools, staff mentioned that minor special education services were dropped without informing the child's parents.

Despite the above examples, the district is beginning to pay more attention to parent notification, going so far as allocating some resources to see that parents are always informed prior to the GPT meeting of the purpose of the meeting.

Although, in Spring 1978, the principals felt the new paperwork requirements prevented phone contact with parents, parently receiving only the formal notification letters were frightened by the tone, one parent indicating that it was like a subpoena. Furthermore, they often felt hostile when they went to the GPT meeting and were faced with a large group of staff. To avoid parent concern and anger at meetings, in Fall 1978, principals reinstituted informal calls, viewing them as essential (despite the time) to prepare parents, and limit misunderstandings.

Parents are also beginning to react to district notification procedures, some asking if short-term objectives are being followed, calling teachers, for modifying the short-term objectives before returning them to the school.

(2) Parents are not fully informed.

The State has required parent involvement in programming for the past several years, but in truth, the State requirement has had little impact on the LEA. Only the district EMR program formally included parents, and that occured because the other districts in the cooperative program initiated the involvement. As a result, the district seems uncomfortable about parent involvement.

In response to P.L. 94-142, parents are now mailed notification letters

requesting their permission to test and place their children, and informing them of planning meetings. More parents attend meetings as a result, but parents have not received in-service training, are often still confused about their role, and are intimidated by the formal letters. When such contact is only about a minor change, such as summer school sessions, it is even more disruptive of the home/school relationship.

Without in-service, increased parent attendance at meetings is less effective since many parents are unaware of program alternatives or their right to make program suggestions. Most parents attend the parent meeting; at one school 70% of the parents attend. Occasionally, parents comment on their child's program, though more often they do not actively participate. Staff have changed the information presented in the light of the parents' presence; for example, they do not recommend family counseling, believing it might be embarrassing in front of a large group. Parents are supposed to be asked to sign IEPs at the meeting, but do not see the short-term objectives which are prepared at a later date, after which they are sent home. If parents do not respond to the notification letter on the parent meeting, the meeting proceeds as planned and the IEP is mailed to the parent for signature.

As highlighted by a recent State hearing in which the LEA was involved, the due process procedures inconsistently alert parents to their rights. The parent notification letter (although rewritten) now does not notify parents what the GPT is, why action may be necessary, that they have a right to appeal decisions, or that a program cannot be implemented without their signature on the IEP. Short-term objectives are not always sent to the parent, and parents have not been given in-service training by the LEA, althought the LEAs Part B application claims such in-service has taken place. Parents who have participated in hearings previously are more likely to participate again; those with newly identified children rarely comment at GPT meetings or change IEPs. No mechanisms exist to inform parents whether the prepared program is actually delivered. Children slated for minor program correction, whose parents do not return a signed approval, do not receive the additional help.

(3) Some parents pay for some special education services.

Prior to P.L. 94-142, the district determined how much of the additional

extra testing, transportation, tuition, or residential costs a family could afford, and billed the family accordingly. The LEA has always followed this procedure; in light of P.L. 94-142 the LEA tends to charge less to the family, but still sometimes shares costs. As a result, parents still drive children to tests, or occasionally may pay for outside assessment; if they want one done and the LEA doesn't believe it is necessary.

(4) Parents are more active.

In Spring 1978, parents approached the school district about holding meetings between parents and school staff to discuss P.L. 94-142 and special education procedures in the district. From that initial meeting, parents decided to start a parent group and have held several other meetings with and without school staff to discuss improving parent notification procedures and special education programs.

Another factor causing more parent involvement in special education is that parents who attended formal meetings in Spring 1978 to discuss programming for special education were more open and more relaxed at meetings in Fall 1978. Parents have responded to requests for involvement in programming with up to 100% of them attending GPT meetings. Still another reason why parents are becoming more active is that the district has initiated attempts to explain the special education program to parents. In some schools a list of staff who will be attending the meeting is sent with the notification letter and principals are re-instituting informal calls before the meeting to discuss the child's problem.

A final factor indicating increased parent awareness is that parents sometimes solicit evaluations from private or other outside evaluators when they disagree with the school's opinion. Furthermore, the LEA had its first due process hearing in 1978-79, another instance in increased parent activism.

(5) Due process hearings are affecting staff self-confidence.

This district has been fearful about parent willingness to sue the district. Some of the district's fears were realized when a due process hearing was held in Fall 1978. The hearing was brought by a parent seeking outside placement for her child. Although the hearing officer seemd to believe that the child was not special, he nevertheless told the district to improve its parent notifi-

cation procedures. Because of this hearing, district staff felt their professional judgment had been challenged, since they had to testify for long hours as to decisions they had made. The hearing showed to them that all the paperwork with which they had responded to P.L. 94-142 was justified if the LEA is to properly defend itself at a hearing. The lack of the concrete data on the child led the staff to question the quality of the short-term objectives they were writing, their parent notification procedures, and the appropriateness of their classification system.

The hearing also affected resources; the district spent unexpected dollars on legal fees, and staff hours gathering information on the child, including interviewing every teacher the child ever had. The hearing also emphasized the legal ramifications of P.L. 94-142, leading one principal to begin GPT meetings with "Welcome to _____ school; this is a legal proceeding."

(6) Due process hearings are costly.

As partially illustrated in the preceding consequence, hearings take a toll in an LEA, on both the district and the parent. In the first State-level due process hearing in which this parent and LEA were involved, the parent felt it necessary to keep files of all her correspondence with the school district, and paid a lawyer $400 for representing her at the hearing. She originally began trying to change her child's program in 1976. The parent without the time, energy, or money may not be likely or able to pursue due process. This parent hired a lawyer who was the Board of Education chairperson in a neighboring town, and received advice from a teacher-friend and from the newly formed parents group. She's afraid the system will react negatively to her other children. The parent did say that she was relieved that an objective, neutral process existed.

Never having been involved in a State hearing, the LEA had to hire the town lawyer to represent them. The psychologist and principal interviewed all the teachers who had taught the child in the past. The psychologist and principal attended the hearing with four additional staff. Also, the psychologist spent 20 to 25 hours preparing documentation. The Assistant Superintendent set up the hearing and arranged for counsel. The cost of counsel for one hearing was beyond the year's budget.

(7) More paperwork was the immediate response to the hearing.

Since the State hearing reprimanded the LEA on its procedures for parent notification, the LEA has expanded its GPT record-keeping procedures, although no school has as yet changed its parent notification letters. The LEA discovered its schools were not consistently reporting GPT procedures, so now all schools write minutes for GPT meetings and also an IEP. A new form for short-term objectives has been developed. Files are now kept by the GPT coordinator with minutes and all letters sent to parents: a GPT contact sheet in all individual files lists whomever has had contact with the GPT process.

(8) Parental approvals affect staff attitudes.

Placement changes were first made in Spring 1977, when placement decisions were held up until the parent was invited to a meeting to discuss program decisions. Principals and core special education staff have even had evening meetings with parents to discuss program placements. A time lapse now exists between testing and placement since children are not placed until parent permission has been received. If such permission is not forthcoming for minor program changes, the child is returned to the regular classroom and does not receive the special education services. This happens rarely. For major program changes, the staff continues to call the parents to obtain permission, but usually does not place the child in the special setting until approval is received.

Witholding service until parent approval is received is a new approach in a district used to placing a child often the day after his or her problem is discussed. Some staff resent waiting for parents to respond to notifications, viewing all the paperwork as a hindrance to service delivery to the children.

B. GENERAL CONSEQUENCES

1. Outside agencies are withdrawing support for special education students.

Prior to P.L. 94-142, welfare agencies and the division of children and youth services, often provided social workers for counseling. In a few instances during 1978-79, they have not done so, believing the LEA, with its P.L. 94-142 funds, should not perform that task. Although the number of people affected is minimal, the LEA fears it is being forced into the role of a social agency.

The district is also concerned about a decrease in service delivery. Staff do not believe this to be a start-up dilemma; familiarity with the procedures will only partially ease the time crunch. New referrals may not decrease since in a recent district study, it was discovered that almost half of the fifth and sixth graders were new to the district. Such transiency could keep referrals, assessments, and placements at existing levels. Already most schools have increased the number of planning and placement meetings by 50%. Furthermore, the Board is fearful special education increases may become less likely: for the first time in the town's history the budget is going to referendum in 1978-79.

2. The new process takes more time.

Increased reporting duties associated with P.L. 94-142 have reduced the time of many staff for contact with pupils and regular educators. The principals may now spend one-quarter to one-half of their time on placement meetings, parent contact, and preparing or reviewing IEPs. They postpone regular meetings, or attendance has decreased at these meetings with staff tied up in special education meetings. The Superintendent's office notes that principals are less accessible and regular students have less time with the principals as well.

Other staff members pulled into the paperwork-meeting syndrome are the guidance counselors. Due to a shortage of clerical staff and the limited time and knowledge of special education on the part of the principals, the guidance counselors were assigned these GPT tasks. The counselors seem to resent greatly these responsibilities since they now have little time for counseling. The principals were debating in Fall 1978 hiring an administrator for grades 6-12 to let the guidance counselor go back to counseling and additionally to have more consistent reporting among the schools. Other staff members affected by P.L. 94-142 are the psychologists, who also assume many administrative tasks, such as completing state childcount forms, attending all placement meetings, helping write IEPs, and the like. All children in the district are affected by the time psychologists must commit since referred children sometimes must wait for assessment and teachers and principals have little time with the psychologists to discuss the problems of regular students.

3. The LEA is concerned with the quality of services it provides.

LEA staff are becoming more aware that there should be some system for checking whether programs promised by the LEA in the IEP are delivered. As a result, last spring GPT special education staff requested bi-montly progress reports from regular teachers on the progress of mainstreamed special education students. Regular staff had some complaints about the consistency and use of the reports, and all staff are growing increasingly concerned that a better system must exist for monitoring the entire GPT process. They would like to know, districtwide, whether GPT objectives are carried out, whether parents are informed if program changes are made, whether short-term objective are adequate, whether all the paper is producing a positive change in programming, and whether regular teachers need more in-service training in special education as they claim. To address these concerns, the elementary schools are beginning committees to check on who is being served in the special education programs. Also he Superintendent's staff and the principals, when meeting in weekly administrative council sessions, are discussing what short-term objectives should be, whether to make more frequent calls to parents, and whether to involve more regular staff in the special education process.

4. Regular educators are more involved in special education.

Regular education teachers feel a more positive relationship with special education staff in Fall 1978 and manifest that through an interest in using the referral and GPT process, to discuss and determine a child's special needs. In the past, regular and special education teachers communicated informally with each other about the special students in their classes. Although this still occurs to some degree outside the GPT, regular teachers are now asking to be included in GPT meetings being held on children they referred to discuss programming. Regular teachers are better prepared to discuss programs at GPT meetings now that they have more experience at these discussions. All regular teachers and principals interviewed in the four schools and some special education teachers interviewed confirmed that there was freer communication between regular and special education staff due to the GPT meetings.

The GPT has provided a forum for program discussions, and regular education teachers are more open to the special education teachers' problems

and tasks.

Additionally, in Fall 1978, regular teachers found that their involvement in the IEP was not as extensive as they had feared. They do discuss short-term objectives with special education teachers, but do not write them. They receive copies of the IEP in one school and have access to it in another. They have not had to attend too many meetings. As a result, regular teachers are more open to special education and sometimes seek the IEP out as a program guide.

5. Special education procedures are more structured.

In November 1977, the district responded to P.L. 94-142 childfind requirements by publishing a policy document on special education. It describes the referral process staff should follow when first identifying a child who may need special education instruction. The document is distributed in the schools, but speaks to the community as a whole, encouraging parents, community agencies, and outside professionals to refer children.

In Spring 1977, in response to P.L. 94-142, a staff member developed a districtwide document on child identification and planning/placement procedures, which each school has, in turn, adopted for its use. The new document describes the child to be referred simply as one "displaying unusual behavior or who is suspected of having difficulty in school for any reason: social, academic, or personal." Referrals are now to be made to the chairperson of the placement team, the principal. In this small district, the principals are very familiar with the student population and frequently make initial referrals. In the secondary schools the guidance counselor tends to make initial referral to the principal. The district special education manual contains a teacher's referral form. The high school special education school packet has referral forms given to the guidance counselor.

The 1977 policy document on special education also redefines the core placement team to include the principal of Superintendent, a diagnostic specialist (i.e., school psychologist, reading consultant, or nurse), guidance counselor (in junior and senior high schools), classroom teacher, and parents or guardians.

CHAPTER III

CASE STUDY OF SITE A.3

Case Study Organization

I. THE CONTEXT
   - A. DEMOGRAPHIC
   - B. WEALTH
   - C. GOVERNANCE
   - D. EXTERNAL AGENCIES
   - E. LEA ORGANIZATIONAL STRUCTURE

II. THE SPECIAL EDUCATION PROGRAM
   - A. ORGANIZATION
   - B. SERVICES AND PROGRAMS PROVIDED
   - C. PRIORITIES
   - D. STUDENTS SERVED BY CATEGORY

III. IMPLEMENTATION PROCESSES AND CONSEQUENCES
   - A. SPECIFIC CONSEQUENCES
   - B. GENERAL CONSEQUENCES

1. THE CONTEXT

A. DEMOGRAPHIC

District A.3 is an industrial, middle-to-lower income suburb within a ten-minute drive of a large urban area. As of October 1977, it had a school enrollment of about 5,000 students. In 1976, the minority population made up about 12 percent of its total number of pupils. Although the number of pupils in District A.3 has declined two percent from 1971 to 1976, the minority population grew 17 percent during the same period.

In Fall 1976, this LEA had over 300 full-time, non-administrative personnel. The LEA has seven elementary schools, two middle schools and one high school. Exhibit A-IX shows a breakdown of the number of students per school and the number of teachers.

B. WEALTH

The best way to determine the wealth of a district in this State is to note the district's ranking on State scales used to determine the district's guaranteed tax base and thus the State education dollars it is eligible to receive. The first scale is the State's "ability-to-pay" measure, which is computed by a formula which includes local median family income over State median family income divided by a town's population. District A.3 ranks high, approximately 40th out of over 160 districts. A second measure of wealth is the LEA's "willingness-to-pay" for education costs which is computed partly by dividing the net current local education expenditure by the "ability-to-pay" figures mentioned above. District A.3's "willingness-to-pay" rank is lower, around 100 out of over 160 districts. A third measure is the LEA's size and educational need in which the district ranks high, 35 out of the over 160 districts. Finally, when the above rankings are averaged, this LEA receives an average amount of the State education appropriations.

Total education expenditures in 1976-77 in District A.3 were over $8 million with a per pupil expenditure of over $1,500, $1,000 was spent on instruction and around $100 on administrative services and principal's offices. In 1976-77, the district's net Federal payments for public and non-public school programs were almost $250,000, most of that from school lunch programs and

EXHIBIT A-IX: BREAKDOWN OF THE NUMBER OF STUDENTS AND NUMBER OF TEACHERS PER SCHOOL PARTICIPATING IN THE STUDY

Building	Student Pop.	Reg. Ed. Staff
1	147	7
2	472	21.5
3	379	20.5
4	506	27.6
5	224	11.1
6	720	43
7	1,281	87

Title I programs. State grant payments for public and nonpublic school programs in 1976-77 were over $1 million; the largest portion (approximately $400,000) was for special education used for facilities, $200,000, comes close to the State money alloted for special education in District A.3.

District A.3 uses a program budgeting system to develop its annual budget. In September of each year, department chairpersons, principals and administrators submit to the Superintendent a list of assumptions, constraints, and priorities. In October, program goals are developed; chairpersons submit budgets to principals who in turn submit them to the directors of business, pupil transportation, instructional and administrative services, pupil personnel, special education, etc. The Superintendent begins a review in December and submits the budget to the Board in February. In 1977-78 the Town Council asked the Superintendent to keep the budget within the cost of living increase and the Board passed a 1978-79 budget which represented a 6.5 percent increase over the previous year.

District A.3 has experienced significant cost increases in outside placements. Between July 1977 and February 1978, outside placement costs jumped from $35,958 to $58,856. Part of the increase was due to a $14,000 cost for one child who had just moved into the district. Home instruction costs have remained relatively stable ranging from the $31,194 spent in 1975-76 to the $29,800 budgeted for 1977-78. In 1976-77 special services budget was $320,000 (guidance, health, psychological) and special education approximately $380,000 each, but special education instruction programs received only $487,000. In 1977-78 the special services budget was $330,000; special education request was $445,000, but the amount appropriated was only $446,844. According to the district's 1978-79 recommend fiscal plan, the LEA needed almost a 14% budget increase to cover new costs in special education.

Outside funding from P.L. 94-142 dollars was $14,000 in 1977-78, but the State Department of Education special education reimbursement jumped from $350,000 in 1976-77 to $400,000 in 1977-78. Significant line item increases include pupil transportation costs and special education personnel costs. Purchased services costs have decreased. A new line item District A.3 charged to the State in 1976 was support services by the principal's office which may reflect principals' and their clerical staffs' increased time commitment to placement meetings.

C. GOVERNANCE

The School Board members are elected for four-year terms. The present Board elected in November 1977 represents a significant political change. The Board meets in the evening one day each month and has frequent committee meetings, sometimes three or four nights a week. The School Board annually revises and approves the budget. The Board has been actively involved in special education decisions. A committee has been established to make structural changes in school buildings to comply with Section 504. Before the establishement of the office of special education, the Superintendent and Board Chairman frequently discussed (monitored) special education.

The Town Council is the local governing body and has seven members. The School Board submits the education budget to the Council for review and approval.

D. EXTERNAL AGENCIES

The district has minimal contact with outside agencies; it uses the State-funded regional resource center only infrequently (once or twice in the 1977-78 school year) for diagnostic evaluations on students. Referrals of children for special education from outside agencies, such as Youth Services and juvenile court are also infrequent. For the past eight to ten years, the district has had a cooperative TMR program with another district, initiated with a State grant. District A.3 supplied staff and facilities: the other district paid tuition for its students, until this year when District A.3 requested that the other district also supply two instructional aides and a speech and language clinician to work with speech-impaired children in the TMR and EMR program.

A single, active advocacy group was recently established to raise money to build a living center for mentally retarded adults. No other advocacy group exists in District A.3, although that may be explained by the district's proximity to the State capital advocacy groups. Noting that parents communicated little among themselves, some school principals had attempted to fill the gap by setting up meetings at their schools for parents to discuss their concerns. In this State, the school district often initates parent group activity.

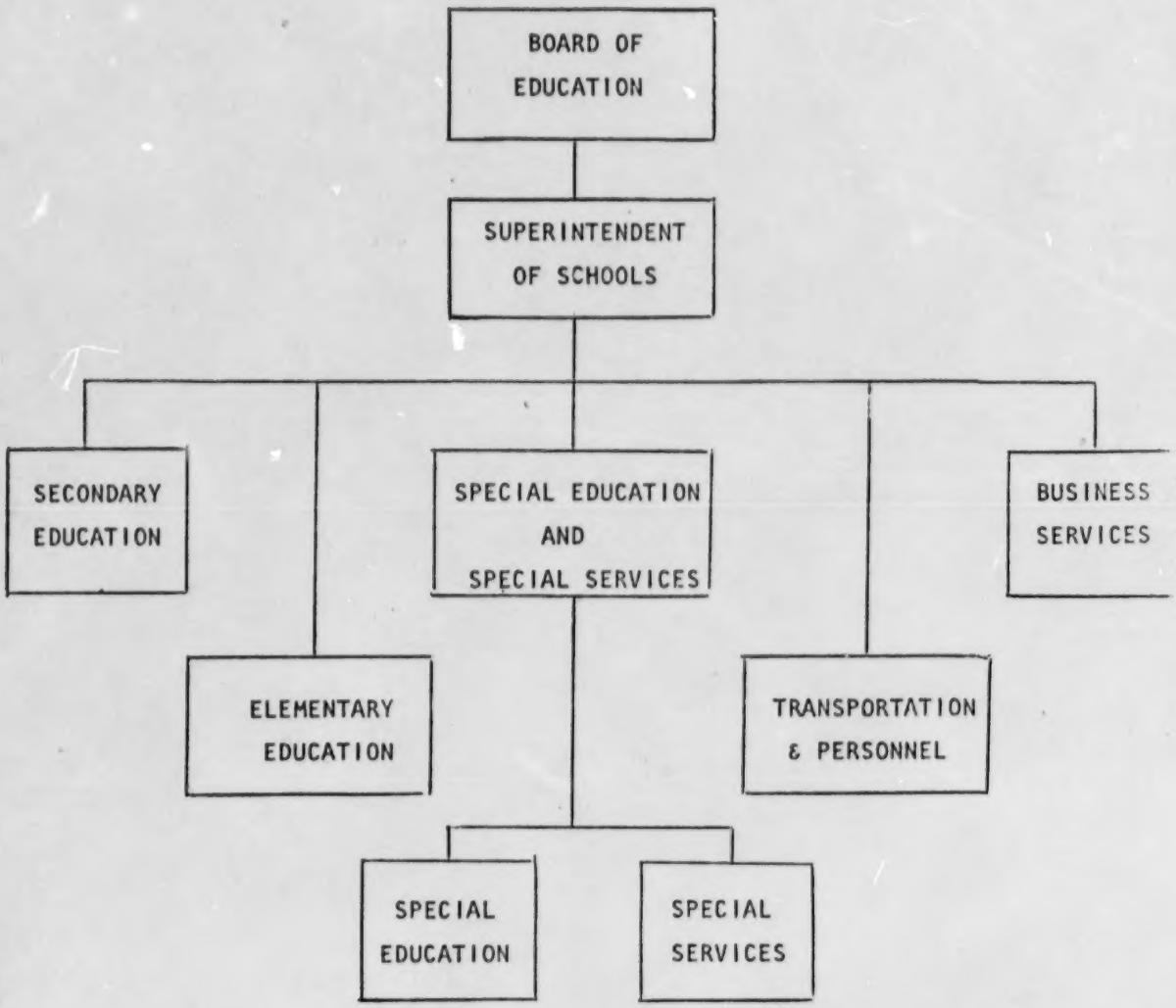
Special education staff members in this district play active roles in the Council for Exceptional Children (CEC) and the State association for special education directors. District A.3 staff chaired these groups and initiated and supported meetings explaining P.L. 94-142, and involving State-level staff. District A.3 has also actively lobbied against State-wide IEP forms and State computer childfind forms. District A.3's physical proximity to the capital, as well as the central staff's active involvement in special education, gives the district open and easy access to the SEA. While District A.3 depends on SEA technical assistance documents regarding confidentiality, psychological testing, etc., it has prepared its own guidelines and forms prescribing building procedures.

E. LEA ORGANIZATIONAL STRUCTURE

The district Superintendent is appointed by the Board; the present Superintendent has held that position for over ten years. He is very interested in special education and a frequent advocate of special education programs before the Board. He approves of P.L. 94-142 in concept, but is presently very concerned about the paperwork burden imposed by P.L. 94-142 and the reorganization it requires in District A.3 to operate adequate special education programs.

The two directors of secondary and elementary education report to the Superintendent, manage and hire principals and regular staff, determine instruction for regular students and prepare the regular education budgets (see Exhibit A- X. The top administrators in A.3 shift principals from building to building every few years. For example, almost all the principals in the buildings included in this study last spring, had been moved to other buildings in fall 1978. While directors' activities are separate from special education, they are involved in special education matters (e.g., advise principals on how to shift regular teachers' schedules to allow their attendance at Group Planning Team (GPT) meetings [GPT]). They also establish faculty meetings dealing with P.L. 94-142 and its requirements. The directors of secondary and elementary education seem somewhat sensitive about the increase in special education administrative staff, special education dollars and the concommitant increase in special education power.

EXHIBIT A-X: ORGANIZATION OF DISTRICT A.3
(MODIFIED)



II. THE SPECIAL EDUCATION PROGRAM

A. ORGANIZATION

The position of Supervisor of Special Education and Special Services was established in the late 1960's when the special education staff grew to the point where State law required a second administrator. A Coordinator of Special Education position was created in 1974 and was filled by a staff member previously involved in special education in the LEA. The Supervisor reports to the Superintendent and manages the itinerant support staff of about four psychologists, six social workers, seven nurses, one psychiatrist, the Coordinator of Special Education; prepares the annual budget for special education and support services; and works closely with the Coordinator in developing special education programs and procedures. The Supervisor meets monthly with the psychologists who requested the formal meetings because they felt their contact with administrators was too infrequent. The Supervisor spends much of his time on special education budgets and procedures, the paperwork required by State and Federal regulations, and works closely with the Coordinator in these matters.

The Coordinator of Special Education reports to the Supervisor of Special Education and Special Services and assists the Supervisor in developing special education instruction, hiring special education teachers, monitoring special education teachers and aides, and completing State and Federal applications for special education dollars.

Although the Supervisor of Special Education and Special Services monitors special education staff, special education staff feel they do not receive enough direction from their immediate superiors. A frequent complaint was from special education teachers who said their principals rarely monitored their activities, visiting their classrooms once a year.

In light of the teacher desires for closer supervision, the Coordinator recently initiated several steps to ease the problem. One is a team leader program. A special education teacher who is a team leader runs monthly "cluster group" meetings to discuss instructional problems and materials availability, and IEP development and completion. Twice monthly the leaders meet with the Coordinator to share other teachers' concerns, learn new procedures, and assist the Coordinator in hiring new staff and developing budgets. The Coordinator has also begun taking over an occasional special education class to free teachers

to visit other special education classes for observation.

Despite complaints about communication, special education teachers frequently visit the central office to discuss placement of students or programs. Special and regular teachers communicate regularly with each other about mainstreamed children. Some regular teachers complain that special education teachers have better facilities, that special education meetings take precedence over all other meetings and that the best regular staff are the only ones asked to participate in GPTs.

Partly due to her long tenure in the LEA and State-wide reputation as an advocate of special education, the Coordinator has an excellent reputation with the Board, the Superintendent, and community.

Principals in A.3 generally are supportive of special education, perhaps because of the LEA's 20 year history of special education programs. Principals are consulted in the hiring of special education teachers, although the special education administrators have the final say. At the elementary level, principals often chair the GPT meetings, with vice-principals assigned the task at the middle and high schools. Many principals want to have contact with the special education staff and students and the weekly special education planning meetings provide an excellent vehicle. The principals did complain in a 1978 report to the School Board that they have to attend too many unnecessary meetings, the GPT meeting major among them.

The social workers are itinerant, and assigned to specific buildings for a day or two a week. They feel the most isolated of the district staff, although they have the opportunity to meet with each other weekly and with central office staff monthly. They are often left with much of the paperwork involved in the special education process, especially if no additional clerical staff have been hired to do this work. Recorders were hired to handle GPT paperwork.

Few organizational changes have occurred in this LEA after the full implementation date of P.L. 94-142 in September 1977. The new positions created in the past two school years have been clerical recorders hired to perform the paperwork and organizational tasks involved in setting up meetings, inviting participants, and obtaining materials for those meetings. The itinerant recorders are hired, trained and managed by the central office who assigns them to several

schools. The special education central office also established a team leader system, assigning one special education teacher to serve as ombudsman between the central office and special education teachers to improve communication between the two groups. Otherwise, organization of the special education program remains as described above.

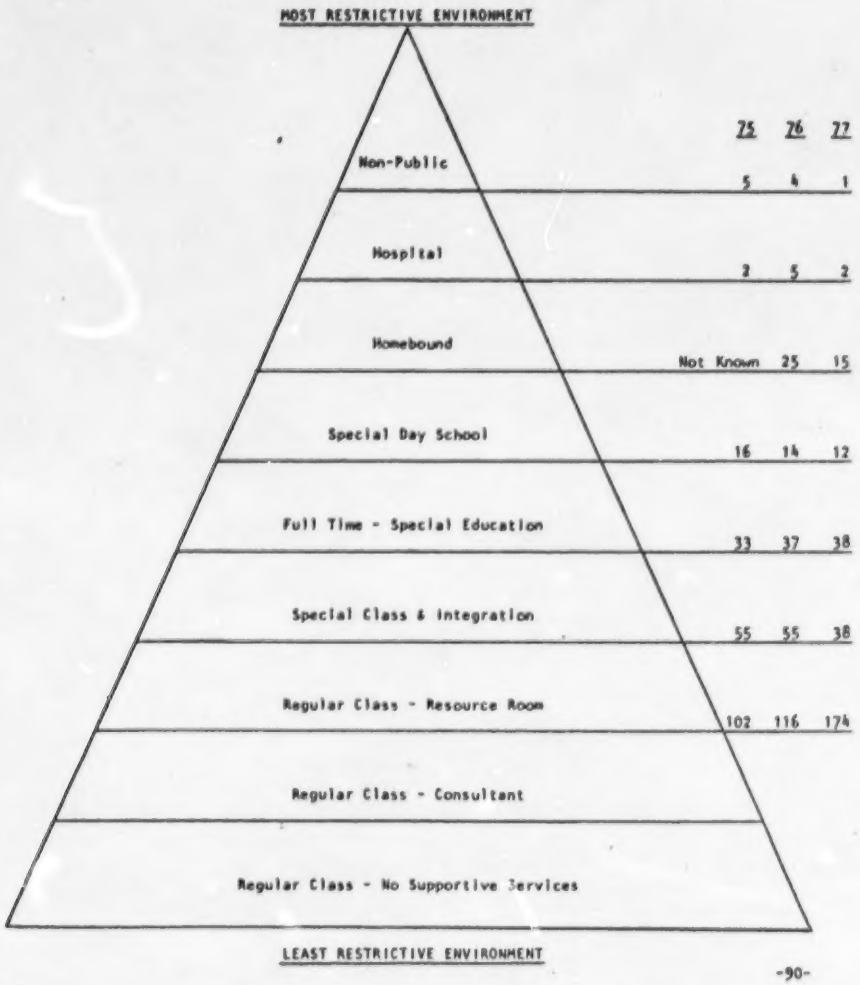
B. SERVICES AND PROGRAMS PROVIDED

The type and number of services available to the exceptional child in A.3 are illustrated in Exhibit A-XI. The triangle graph describes the degree of restriction (time spent in the special education class) in those services and how many children receive services in each type of environment. Self-contained services are available for learning disabled, emotionally disturbed, mentally retarded, communication disorders, educationally handicapped, language problems, and pre-vocational needs. Non-categorical placement in a learning center is available for less severe learning disabled, emotionally disturbed, and mentally retarded.

Outside placements are decreasing. The district requested funds in Spring 1978 for a "communication disorder" program as it was the last low incidence group for which the district does not have facilities. Of the 16 students recommended for placement in outside facilities in Spring 1978, the school district placed 8; the others were placed by physicians or Youth Services and the district was informed after placement was made there.

The LEA provides homebound instruction. In Spring 1978, three socially maladjusted and one formerly incarcerated student were receiving homebound instruction while awaiting diagnosis and placement. "Self-contained" or "full-time" special education" refers to placement in a single classroom with students within a similar age group and disability, such as educable mentally retarded, for the entire school day. A "special class and integration" program is a situation where the exceptional child receives academic instruction in one classroom but takes music, art, gym, lunch or homeroom in classes with regular students. "Regular class-resource room" refers to programs where a child leaves the regular class to attend less than 10 hours a week in a class geared to his specific disability. The learning centers in A.3 are non-categorical, resource rooms, i.e.,

EXHIBIT A-XI: COMPARISON OF ENROLLMENT IN DISTRICT A.3
JANUARY 2, 1975, 76, 77



	75	76	77
Non-Public	5	4	1
Hospital	3	5	2
Homebound	Not Known	25	15
Special Day School	16	14	12
Full Time - Special Education	33	37	38
Special Class & Integration	55	55	38
Regular Class - Resource Room	102	116	174

-90-

EXHIBIT A-XII: TOTAL SCHOOL POPULATION SERVED IN DISTRICT A.3

BUILDING NO.	NO. OF STUDENTS	NO. OF TEACHERS
1	487	24
2	160	9.5
3	418	20.5
4	504	29
5	324	16
6	302	15.5
7	263	16.5
8	557	36
9	708	47
10	1359	106

children with various exceptionalities are served in one room; the special education teacher is assisted by support staff; and children spend varying amounts of time, from all day to less than 10 hours a week. "Regular class and consultant" is a designation when a child or the child's teacher simply receive direction as to appropriate intervention in the regular class, such as, a separate reading assignment. "Homebound instruction" is defined when two teachers go into the home several hours a week.

C. PRIORITIES

Priorities for compliance with P.L. 94-142 are best reflected by requests for funds from State or Federal agencies. A.3's 1978-79 application for P.L. 94-142 pass-through dollars sought funds for: occupational and physical therapy for special education students; recorders to facilitate the IEP process; a teacher for the mantally retarded to allow a lower teacher-student ratio; new team leader positions for increasing continuity in special education programming; full-time instructional aides for the learning center and behavior adjustment class; transportation for vocational education for pre-vocational students; and language arts and math materials for all exceptional students.

Discussions with staff, board members, and parents revealed additional priorities in A.3. The special education administrators and board are most concerned that their "already adequately functioning" special education process will be radically changed or overwhelmed by new Federal and State requirements. Special education administrators have taken several steps not to alienate staff with too much paperwork or frequent and disruptive procedural changes. First, when P.L. 94-142 was initially passed, the LEA adapted its existing procedures to suit the new requirements; additionally it made an active effort to discourage State-wide formats for the IEP process and bought a word-processor to speed IEP writing and parent notification.

Another LEA priority is improving intradepartmental communication. Staff complaints that special education administrators were inaccessible have caused several changes in administrative procedures to facilitate communication.

The district is also bringing more children from out-of-district placements back into school buildings and in the past few years has been adding low-incidence (hearing impaired services) and primary classes for exceptional children.

Ensuring that parents communicate with the schools and with each other seems to be a priority among many elementary principals who have initiated workshops.

The two needs most often mentioned by building level staff interviewees were for more time to prepare for due process hearings and for in-service on the IEP. The special education staff wanted to provide some sessions, but administrators felt the special education staff didn't have the time.

D. STUDENTS SERVED BY CATEGORY

As in the other districts in this State, it is impossible to compare the number of students counted as "special" in the years preceding the 1977-78 school year because the State required a new child count procedure. The figures for the number of special education students in A.3's school buildings are included in Exhibit A-XII. The numbers of students served in previous years are listed in the triangle chart in Exhibit A-XI. The State Department of Education and the LEAs are still negotiating the discrepancy between State and local counts. The State computer rejected some submissions due to errors in programming.

III. IMPLEMENTATION PROCESSES AND CONSEQUENCES

A. SPECIFIC CONSEQUENCES

1. Childfind

a) Childfind Processes

Formal childfind activities are not a high priority in A.3 as the district has already identified its first priority population; last year only three children were referred from childfind, a service coordinated for the district by a State-supported Regional Education Center (REC). The Supervisor of Special Education and a social worker are assigned responsibility for disseminating childfind materials within the district itself.

In January 1978, and again in the fall of 1978, to comply with a new State ruling, the district filed a State-issued computer form for each of its special education students. The special education central office staff filled out all the information required on the forms (child's name to be replaced by a code number, birthdate, birthplace, major program area, time spent in each class each day, etc.) to ensure continuity in reporting. The district had to submit the forms as its childcount data, in order to receive its P.L. 94-142 dollars for this school year.

This district has a system-wide referral process developed in August 1977 by the Supervisor of Special Education and three special education teachers. These guidelines on the placement team and its role in developing the individualized education programs (IEPs) were adopted in October 1977, and are used in all district schools. According to district staff, the guidelines were written to comply with Federal and State mandates, but are color coded to match the previous forms used in the district to reassure staff that the procedures and forms have not radically changed due to new legislation.

In-school referrals made to the district's two pre-school classrooms come from kindergarten screening, parents, nursery schools, doctors and occasionally the REC office. The elementary schools have pre-kindergarten screenings in April, which in the past were generally attended by the principal, special education or regular teacher, the school nurse and reading consultant. In the past two years, the speech consultant has attended; school staff feel they are identifying more speech problems now. Since increased publicity on P.L. 94-142, parent

referrals have substantially increased throughout grades 1-8, referral forms are generally submitted by the regular teachers to the chairperson of the placement team who is the principal. Fewer children are referred at the secondary level because these teachers have less time for informal discussion with their peers, see the child less and thereby don't recognize a persistent problem. If they do see a problem, they often dislike making referrals due to the time involved.

Formal in-school referrals are preceded by extensive informal communication between regular and special services staff about classroom alternatives. Some schools discuss potential referrals at weekly administrative meetings made up of principals, guidance counselors, social workers, psychological examiners and special education staff. In the junior high school, after this initial discussion, all the child's teachers submit background forms to the placement team chairman, and then the staff have another pre-placement meeting to discuss possible referral.

A near-by district often refers special education children for instruction and sends the child to the district with a local district plan or an IEP. The child is still then referred to A.3's central office placement team made up of the head psychological examiner, social worker, special education teacher in suspected disability, Supervisor and Coordinator of special education services, and any building staff from sending and receiving schools.

b) Childfind Consequences

1. Childfind Forms limit service delivery.

As in other districts in this State, central office staff resent the time they must commit to complete State-required computer forms for counting special education children being served. In both the spring and fall of 1978, they spent several weeks of personal and professional time completing the forms. Their opposition also stems from concern that the forms inadequately protect a child's confidentiality, constitute a permanent record, and take many hours away from regular tasks.

2. Teachers are referring less; outside sources are referring more

Diagnostic staff in the district noted that since P.L. 94-142 was first publicized more outside referrals have been made by parents, doctors, nursery schools and other groups. Unfortunately, the opposite may be true in the school building. In Fall 1978 interviews, some regular teachers say they refer fewer children to the special education system. The decrease in referrals stems from

several disparate factors. Some regular education teachers say they bear the brunt of parent anger and hostility over initial identification of a child for special education services and would rather avoid that hostility by either not referring or asking the principal to initiate the referral. Furthermore, meetings for special education planning are held during lunch or after school, when teachers are unwilling to meet. Additionally, because some staff thought children occasionally wait a year before they receive special education services, teachers prefer trying alternatives in the classrrom. They also feel they are not given enough free time for writing goals and objectives for IEPs, completing forms for meetings and the like, by not referring children these tasks are avoided.

3. Added screening procedures to prevent incorrect referrals.

The district has used standard referral forms for several years, but has further formalized referrals since the passage of P.L. 94-142. Prior to the Federal law, school building staff often discussed potential special education children in informal staff meetings. In spring 1978, some staff believed P.L. 94-142 disallowed such meetings because the parent was not present, and particulary, because the new special education process has a formal referral discussion meeting. Nevertheless, in fall 1978, to avoid having to go through the special education review process (GPT), schools are developing pre-referral mechanisms. Swamped last spring by an increase in the number of meetings held per child (approximately 3-4), school staff have established or use previously existing mechanisms to review children's cases. In one school, a weekly meeting among the principal, vice principal, guidance counselor, social worker, psychologist, special education and regular teacher is held to discuss possible new referrals or the cases of children previously placed. Principals generally seem to encourage pre-alternatives to avoid running a child through a long process and to avoid having the child labeled special. Several principals go even farther to avoid the GPT--they do not allow a child to be referred to special education unless the social worker, reading teacher or speech consultant or even psychologist has observed or tested the child and has determined that special education placement is almost certain.

This development is ironic in this LEA which seemed to view parent involvment as part of the special education process well before P.L. 94-142. The

A timeline for conducting the test is developed by the group as well as established for the Level II/Diagnostic meeting, etc.

The recorder uses the district-wide initial placement form to list tests to be performed and which staff member will conduct them. If the parents are at the meeting, they sign a release for evaluation. Otherwise, they are mailed a form for signature and no testing starts prior to the return of that form. The placement team makes a group decision about what tests are to be conducted. Most staff actively participate in decisions often taking one to two hours. No single professional in the district seems to have control over the placement meetings or types of tests administered. Newly-involved principals participate less, often delegating meeting coordination to social workers or special education teachers; but, all staff at the meetings seem to play an active role.

Although no formal rules appear to exist as to which tests are used, some uniformity does exist. Special education teachers do most modality testing; psychological exams (IQ) include the WISC and Benet; speech clinicians also do some modality testing; while psychological exams are given to referred children, they are not used as the sole criterion for diagnosis.

It often takes a month before all the tests on a child are completed although most school staff claim they have only three or four children waiting to be tested that long. Psychological testing delays the process more than the other tests. Some interviewees voiced concern that the deadline for the Level II placement, controls the quality of testing because tests must be completed by that meeting. Special services staff attend most placement meetings, but because they are itinerant (assigned to building for a number of days depending on the size of the building population), some time formerly used for testing and servicing is now spent in meetings.

Attendance at the placement meeting is strongly urged for special education staff; aides are often left in charge of classes. In a number of schools regular teachers are on a schedule to substitute for each other when attending these conferences. In others their attendance is discouraged; teachers dislike using personal or professional leave to attend placement meetings.

b) Assessment Consequences

1. Teachers are more involved in assessment.

With the development of a new special education process in District A.3, special education teachers are more often attending assessment meetings, and are asked to provide formal educational evaluations for the assessment decision. In

school staff are nevertheless cautious about these pre-referral meetings. In a few schools, a staff member records all types of contact among special education staff in which a child's program is discussed, in case the LEA needs to make an historical presentation at a hearing or at a parent request. Yet another rationale for extensive pre-referral activity is that once a child is referred even to the first step of the long process, the chances of avoiding special education labeling are limited. As the new special education process becomes more familiar and all children referred are not labeled as special, teachers may be less fearful of making referral.

2. Assessment

a) Assessment processes

Before P.L. 94-142, special testing or screening was often conducted prior to the convening of local placement teams by social workers, psychologists, speech clinicians, reading consultants and, less often, special education teachers. Informal conferences were initiated and held by special education services staff, only occasionally including parents and principals.

Since the October 1977 guidelines were issued, an initial placement team meeting is supposed to be held prior to any testing to discuss the referred student and his or her possible need for special education services. In a number of schools, the principal still requires staff to complete some testing before the initial meeting to justify the need for processing the child. As of January 1978, an itinerant clerical recorder is assigned to each school (one day per week) and under the principal's direction arranges attendance at the meeting, mails agenda and contacts the parents as well as the psychological examiner, special education teacher, regular teacher and pupil services staff. The placement meetings are held on the same day each week, although coordinating schedules of itinerant special education staff and principals and parents is sometimes difficult. Principals who were involved in placement meetings prior to October, appear to depend less on the recorder and make meeting arrangements themselves. Most principals are the chief contact with the parents, often calling or meeting with them informally.

At the initial placement meeting staff determine what type of evaluative information should be gathered; after group discussion responsibility for different testing is assigned by the principal to the appropriate team member.

some school buildings, regular teachers have recently been asked to reply to a checklist as to whether the mainstreamed child is having behavioral or academic problems; this allows the regular teacher to participate.

2. Speech is becoming an integral part of special education.

Prior to P.L. 94-142, "speech" was considered extra-instruction, separate from both regular and special education. As a result of P.L. 94-142's inclusion of speech as a handicapping condition, more children with speech handicaps are processed through the GPT meetings. The speech file is now kept with special education records. Speech consultants frequently attend planning meetings without having been formally in-serviced; they are still somewhat uncomfortable about their role, however.

3. Psychologists are more invovled in reporting.

Perhaps the greatest role change due to the assessment requirements has occurred among psychologists--longer and more frequent meetings, increased processing time and concern about mislabeling etc. These have contributed to a testing waiting list.

On the other hand, standard forms and presentations to numerous staff at group meetings, have led psychologists to be fearful that independent analysis is more risky and to rely more on standard tests. They are less likely to use standard labels just to speed the long process. That long process also takes psychologists away from counseling other children, or attending staff meetings.

According to some interviewees, the psychologist previously determined who was tested when. Now the GPT processes prioritize testing and the scheduling of the child first. The psychologists feel somewhat rushed by the established schedule and have had to limit testing children with less serious, less obvious problems, such as those with high IQs who are functioning below their grade level. Psychologists have to take work home to finish; they confer less with each other about cases. All in all, they find they spend more time accounting for tests than on any other responsibility.

Other staff and parents are also somewhat concerned about the mandated formality of the process. They dislike labeling children with minor speech problems as special; they think the new process makes special education children "stand out," Furthermore, they feel uncomfortable about increased labeling which they believe "force fits" some children into categories.

3. Placement/Least Restrictive Environment

a) Placement/least restrictive environment processes.

Prior to October 1977 the entire special education system was more informally structured than at present, with numerous informal staff meetings and conferences with parents. As of October 1977, the process in A.3 has been expanded into four meetings per child; sometimes three meetings if diagnosis and needs assessment meetings are held together. Now, prior to reconvening the team for the second diagnostic meeting, the school recorder sends a letter to parents confirming the date established at Level 1 (initial meeting), and sends an agenda to all staff who the principal feels should attend including staff who were unable to attend the first meeting. Parent notification prior to October 1977, was not mandated by district policy, so phone calls were used instead of letters to establish a meeting date.

All staff who have performed educational, psychological, speech/language and/or psychiatric evaluations must submit their results to the coordinator of the team on the district's Evaluator's Summary Sheet. The principal passes the summaries to the recorder who copies them onto the district's Level II, Diagnostic Summary Sheet which in turn is copied and distributed at the meeting. The reconvened team discusses evaluation results, and decides whether the child is exceptional. Again, special services staff, particulary school psychologists, special education teachers, and social workers, are the chief discussants. Principals and most parents do not actively participate. Yet, parents of full-time special education students, such as MR or ED pupils, are often highly involved, providing information on home situations and the child's normal activities. However, parents of children with moderate handicaps (particulary those who are newly referred) are often intimidated by the large numbers of people at the meetings, public discussion of their child's learning problem, and the use of education jargon. The district rarely needs outside diagnostic help although input is sometimes obtained from physicians or physical therapists.

Some disagreements arise over appropriate labels; parents are particularly sensitive about EMR or ED determinations; staff have disagreed over EMR labels as well. One school administrator has noticed a trend in the identification of fewer EMR and more LD students now. Staff have the most difficult time determining categories for children with social or adjustment problems, language

barriers, etc. A.3 has no formal rules for establishing categories aside from the definition of exceptionality in the Federal regulations (i.e., specific learning disability, mentally retarded, deaf). Nevertheless all respondents in this site trust the professional judgment of the special education staff and most believe staff carefully assign labels. Some mentioned the possiblity of label assignment by availability of services rather than need.

If the team decides the child is not exceptional, it may suggest a list of recommended services, such as guidance, social work or reading. If the team determines the child is exceptional (in almost all cases), the category of exceptionality must be reported on the district's Level II, diagnostic form. All team members and the parent sign the Level II form; staff who disagree with the diagnosis list their dissent. A few parents dissent each year; the school often tries to convince them of the need for special services, but if unable to do so, keeps the child in a regular program. Prior to October 1977, parents were not required to sign any forms; verbal consent was very common.

Parents in most schools attend the conferences; in fact several schools report an 85 to 100 % attendance rate. Despite the fact that the district tries to schedule meetings on the same day each week, sometimes three to four changes are made to accomodate the parent's schedule. Due to the frequency of meetings, staff occasionally come to meetings without prior knowledge of the child or prior review of the evaluators' summary sheets. Because all staff are briefed at the meetings, and exceptionalities and procedures are explained to parents, the Level II meeting tends to be quite long.

All extra diagnostic summary sheets are destroyed after the Level II meeting. The principal maintains a confidential special education file in his office, although the district has no policy on whether staff may keep copies of the diagnostic summary sheets for their own files.

If the parent attends the Level II meeting, the group may, after the diagnosis, proceed to the Level III needs assessment meeting to determine placement. If the parent does not attend, the principal assigns a team member other than the recorder (usually the social worker or the person who did the testing) to contact the parent to discuss test results, decisions made, and the up-coming needs assessment meeting.

Level III, the needs assessment meeting, is the district's placement and "service needs" meeting. This team must record on the district's Level III

needs assessment form the following information

(1) the child's present level of functioning in math, reading, psychomotor or other skills, social adaptation, self-help and pre-vocational needs

(2) a prioritized list of the child's precise needs

(3) recommended special education placement

(4) the reason for placement

(5) the amount of time and teachers for all the child's regular and special education instructional programs

(6) annual goals for the child's entire program

If the team recommends part-time placement (less than 10 hours of special education a week), then the IEP long-term goals can be developed. If the child is recommended for full-time or outside the district placement, the team must refer the case to the central office placement team. The Level III meeting adjourns; the recorder sets up a date for the next meeting with the central office, and notifies staff and parents; and the central team meets to complete the placement determination. The Core Central Team consists of the Supervisor of Special Education, Chief School Psychologist, Chief School Social Worker, and Head Speech Clinician. School building staff and parents may also attend central office meetings. After the central meeting, the Superintendent must approve the placement including any proposed transportation for placement outside the district.

A neighboring district which refers children to the district for services must submit a local plan to the central team to determine placement. Special education teachers sometimes sit in on neighboring placement meetings so someone at the A.3 meeting will be familiar with the child. Parents from other districts rarely come to the central meeting since placement is clear prior to referral.

b) Placement/Least Restrictive Environment Consequences

1. Decrease in placements outside the district has occurred.

The mainstreaming of special education children into resource rooms is increasing in this district. Several staff mentioned that three years ago most GPT meetings on special education children were run by the central office, because most placements were in self-contained classrooms or outside the

district. Recently, partly due to the influence of P.L. 94-142, the School Board has approved additional classes for those exceptionalities previously placed outside the LEA. For example, in the past year, the Board approved a new ED class for severely autistic children and a teacher for the blind. Generally, in this LEA, the placement options available for the special education child have increased. Over the last three years, all district schools, except one, have set up a learning center or resource rooms.

As mainstreaming has increased in this district, so has the LD classification, although it is difficult to determine which phenomenon occurred first. More resource rooms as placement alternatives have been established over the past three years and greater use of the LD label has been observed due to P.L. 94-142, changes in State law, and the district's attention to trends in special education.

2. The central office questions building-level placement recommendations.

In the last two or three years, local school building GPTs have begun reviewing cases and then referring those involving children who need much more than 10 hours a week of special education or outside placements to a central office GPT which makes the final placement decision. Recently, the central GPT has overruled some local GPT decisions, causing numerous reactions. The central GPT is accused by some school staff of overturning local GPT decisions because of the costs of outside placements recommended by the local GPT. A few interviewees felt that children who could be best served outside the district were not assigned that placement. Decisions for outside placements are complicated by several factors other than LRE. Cost, as mentioned above, is one; parents are another. Some parents dislike sending children even to another building in the LEA, preferring that the child receive whatever services are available in the home school. Also, local GPT resentment rests on the belief that the home school knows the child best and the central GPT is questioning their competency by reversing their decision. When a child's case goes to the central GPT, the wait for placement is extended; school staff feel they have little voice in scheduling meetings. At times the central GPT has not received materials in time for a meeting or have forgotten to inform some staff of the date of the meeting. The central GPT seems to have reversed more decisions in the past year than before and may be taking a more active role in these reviews

because of P.L. 94-142 LRE requirements. All-in-all, the procedure of central office review is unsettling to many buildings and has caused some interviewees to question the central office's willingness to place children outside the district.

3. Placement is a more complex process.

Prior to P.L. 94-142, assessment and placement meetings were a combination of informal and formal staff meetings and parent conferences. Since the Law, the LEA has adopted a procedure involving at least three, and possibly five, meetings to discuss programming and placement.

It interprets P.L. 94-142 as requiring group decisions at every step of a child's program. The law may have intended placement and IEP development to occur in one meeting, but in most cases it takes at least three.

To complete a child's processing from referral to placement requires a maximum of four meetings which involve up to 14 people per meeting. A recorder prepares meeting agendae, mails notifications to parents and attendees, records test results and the like. The school building principal coordinates the recorder's tasks with those of his own clerical staff, chairs a series of GPT meetings usually held one day a week (in addition to annual review meetings), schedules meetings so the itinerant special education services staff are in the building at the same time as the recorder, and schedules substitutes for teachers who must leave classes to attend. Psychologists, guidance counselors, social workers, speech and reading consultants leave other tasks to attend the meeting. The resource expenditure and staff time devoted to meetings for approximately 300 students is rather great. Additional central office staff time is consumed during district-wide meetings to consider self-contained or outside placements.

Meetings now take much more time than those held before P.L. 94-142. The large attendance phenomenon can be attributed to district concern over due process; anyone with knowledge of a child they feel should participate in the program discussion.

The principals seem most affected by the increased number of placement meetings. Several were dismayed over having to rush or delay other duties, such as building staff meetings, in order to chair GPTs. They questioned whether they spend enough time with regular students anymore, when one day a week is dedicated

to meetings for the special education children. Presently, many regular teachers claim they dedicate one-fifth to one-half of their time to special education students as the result of these meetings. Special education staff resent the time they must commit to meetings instead of counseling, instruction, testing, etc.; principals resent the time it takes to schedule and attend these meetings.

The frequent, heavily attended GPT meetings have resulted in several changes in staff roles. For several years State guidelines have stipulated that a building administrator chair group planning meetings. Prior to P.L. 94-142, principals normally assigned the chair to social workers, psychologists, and guidance counselors, who were "better versed" in special education programming. But since P.L. 94-142, more principals chair GPT meetings. The change is to ensure principal's familiarity with a case, and responsiblity for carrying out all mandated steps. If any GPT decision is challenged in a due process suit, it was felt that the principal would be better prepared to defend the decisions and the process. Although the large number of attendees at GPT meetings lengthens meeting time, advantages have occurred. Regular teachers are more involved in group planning meetings, and now generally contribute to the meeting decisions. In fact, placement is truly a group decision; the child's precise needs are discussed by all.

4. Complexity of placement meetings affects principals' behavior and attitudes.

Many principals who have been deeply involved in the special education process, have started to develop procedures to streamline the meetings. However, some principals are returning to pre-P.L. 94-142 activities, holding pre-GPT meetings with staff. One interviewee called these "unrecorded" investigating activities to avoid unnecessary referrals and thus unnecessary time in GPT meetings. That same interviewee claimed, "By the time the child gets to the GPT, s/he has an identified need." Other "pre-meetings" are also held before GPT meetings with parents to ensure staff cohesiveness.

Another result of the new GPT process is the use of the IEP document as a meeting agenda to streamline the meeting. Some staff thought using the document limits discussion and excludes information helpful in placement decisions.

Principals are also developing additional forms to record which staff are working with a child during the placement process, and which components of the process have been completed prior to the GPT meeting.

Some principals dislike regular teachers having to leave classes to attend GPT meetings and as a result, require teachers to use lunch breaks and free periods to attend. Most regular teachers do not go to meetings when required to use personal time. They are beginning to resent being told, albeit indirectly, not to go to GPT meetings when they would like to be more involved in placement decisions.

5. Regular education teachers want compensation for mainstreamed special education children.

The compensation they seek takes several forms. The first is a recent contract request for "weighting" mainstreamed special education children. Although some interviewees doubted that teachers would receive this clause in their contract this year, teachers may continue to request it. Many officials dislike the weighting system as it would more strictly define who the mainstreamed children are, and increase costs since teachers would instruct fewer children. A top official in the district credits all the attention on "weighting" to P.L. 94-142. According to this official, special education children have been mainstreamed over the past three years; and only after P.L. 94-142 did teachers begin to request "weighting". Regular teachers also defend the weighted approach by arguing that teachers who serve the mainstreamed child well receive the most handicapped students.

A second request from some regular teachers is for more aides in the classroom. In several schools, teachers with two and three special education students said they could not properly instruct them and had to take excessive time away from other students. At present, most regular teachers interviewed said they do not have aides. Special education teachers thought the behavior and motor problem children should not be sent to a regular class without an aide.

4. Individualized Education Program (IEP)

a) IEP Processes

Special education teachers have been using the Wisconsin IGE objective-based teaching model for several years, writing and revising objectives every three months. Over the past three summers special education teachers have compiled 3,000 standard objectives (for various exceptionalities) which the

district began to use in a word processer to simplify writing IEPs in 1978-79.

The October 1977 guidelines stipulated that the IEP is mandated by P.L. 94-142 and is a new structure, but "many elements of the IEP are currently maintained" in a child's records and the IEP "should not be viewed as a completely additional activity." In addition to P.L. 94-142's requirement for an IEP, this district also includes:

- A statement of specific educational services needed by the child including a description of:
  - all special education and related services appropriate to meeting the unique needs of the child, including the type of physical education program in which the child will participate, and
  - any special instructional media and materials needed.
- A justification for the type of educational placement which the child will have;
- A list of the individuals responsible for implementation of the individualized education program.

According to district guidelines, the Level III placement team's primary purpose is to prepare the IEP. At the Level III needs assessment meeting, staff and parents decide on annual goals, and assign responbilities for writing the short-term objectives for each annual goal. Ten days after the Level III conference, the short-term objectives are to be reviewed by the team; a copy of the short-term objectives are kept by special education teachers and the team members.

Regular and special education teachers often meet to work out short-term objectives together although they have some difficulty completing them within the required 10 days. All staff in the district appear familiar with the IEP. All the special education teachers had written IEPs for students identified, as well as those previously placed. Regular teachers in a few schools had never seen an IEP for their mainstreamed students, but these teachers seem to be in the minority.

IEPs appear to be used by special education teachers in the classroom although the annual review of objectives has replaced the former three-month review. Regular and special education teachers in a number of schools still periodically exchange a district form which enumerates problems in implementing objectives. The LEA has also developed a new annual review form for use at the annual spring review on each child's problem. Inservice sessions on IEP development and P.L. 94-142 were held in 1977-78 for special education staff, admin-

istration and regular staff. Special education teachers at the elementary level have weekly meetings with regular teachers in the same unit and often discuss IEP implementation.

b) IEP Consequences

1) New format has been developed.

In a district with a long tradition of individualized instruction, the IEP is not a new idea; only the IEP form is new. Several respondents in the district believe the IEP will cause minimal change; those already individualizing instruction will continue to do so; those who are not, will simply not use the IEP in the classroom. But to ensure consistent use of the IEP, the district took several steps to produce a thorough structural IEP document.

Partially in preparation for P.L. 94-142 requirements, but also to streamline their own individually based instruction, committees of district central office staff and teachers have spent time during the past three summers collating objectives for the different exceptionalities taught in the district. With 3,000 objectives written at this point, teachers are satisfied that they have simplified the objective writing task, assisted the completion of IEPs by the mandated Federal deadline, and eased the teachers' clerical tasks.

Additionally, the district spent the bulk of its P.L. 94-142 appropriation in 1978 on a word processor which teachers use to "write" their IEPs. The district thus expects to minimize the teachers' IEP writing task and lost instructional time. No one voiced concern that the standard objectives could inaccurately categorize a child's activity. Actually, most teachers in this district believe the objectives are so numerous they expand the teacher's instructional options.

Some concern was expressed about the new format; that staff will use IEP forms as meeting agendae. Some staff feel that the completion of the IEP to satisfy monitoring requirements has become the purpose of the GPT meeting.

2) Special education teachers prepare the IEP's short-term objectives.

According to district guidelines, special education teachers have a 10-day period to gather information from regular teachers and other staff and then write short-term objectives for the children placed in their classes. Small group meetings are held among special education and regular teachers to discuss

objectives and then the parent is mailed the objectives for review and approval. The special education teachers have an expanded role now that they must coordinate the writing of IEP short-term objectives. But due to the large numbers of IEPs and meetings, and the new lengthy reviews, teachers may not be able to write short-term objectives every three months. Teachers surmise the new IEP objectives will be less effective as instructional tools; this new system does not provide incentive for frequent program review.

A second problem with the new system is that some special education teachers haven't time to include regular teachers. Some regular teachers only assist with objectives at GPT meetings. Often no communication on objectives exists beyond that. Many regular teachers (particularly those in the junior and senior high) had not assisted in writing an IEP at all. While many regular teachers want some involvement, others approve of this approach. They would like to avoid legal responsibility for the child's progress. Of course, most regular and special education teachers continue to share instructional information outside of the IEP writing task.

3) Annual reviews and IEP preparation are conducted in the spring.

Prior to P.L. 94-142, this district conducted annual review to evaluate and modify a child's program for the following fall. The review was an important meeting as specific placement recommendations were usually made (i.e., classroom, teacher, building). With the P.L. 94-142 requirement that IEPs be completed by October 1 of each school year, the annual meeting has a new significance. It is here that IEPs are developed or modified for the following fall. Principals, regular and special teachers, psychologists, other support staff, and parents put aside other tasks to attend the reviews. Because of the increase in the number of people who now attend these meetings and the time spent writing IEPs, general placement options are suggested with more specific fall enrollment tasks left to the school. Since IEPs are reassessed and in some cases newly developed at the annual reviews, staff and teachers find they spend up to two months in reviews, thus limiting instruction and service delivery. The reviews can take approximately an hour per child, a significant time commitment if the school has numerous special education children. The child now receives an IEP in the fall that reflects his status three months before, but none of his/her progression during

the summer. Teachers are faced with the dilemma of whether IEP changes might require a new GPT meeting; the school is faced with the dilemma of not preparing IEPs until the fall, but then risking being out of compliance.

5. Due Process/Parental Involvement

a) Due process/parental involvement processes.

An interesting mix of active parents exists in the district. Many are very enthusiastic about the district's services; some have called for mediation to argue a placement decision. In the recent past, two formal mediations along with two state hearings and one local hearing have occurred. Without an organized parent group, it is difficult to ascertain the chief complaints with District A.3's program. Several of the mediations involved accusations of inadequate service by the special education department or no service for a child the parent believed should be in special education.

All school building respondents spoke of their frequent contact with parents. Special education and regular teachers spend twice the time at conferences and in informal conversation, with parents of special education students than with parents of regular students. Some staff even complained that the parents had more clout with the education process than they did; one principal automatically calls a placement meeting for any parent referral, but not for a staff referral.

As many formal mechanisms for due process exist as they do for all other assurances. The October 1977 guidelines contain a description of all the points in the district's process where parental involvement is mandated by P.L. 94-142 (assessment, placement, major program changes). Parents are core team members; interpreters are provided where necessary at placement meetings; the district also requires informal parental consent, such as:

(a) the parent must be fully informed of all information relevant to the activity for which consent is sought, in his/her native language or other mode of communication;

(b) the parent must understand that the granting of consent is voluntary. Due process also requires that a parent or an LEA has the right to appeal decisions made at a GPT meeting.

Parent in-service sessions on rights under P.L. 94-142 were held. The district publishes newspaper articles on parents rights and distributes State-developed childfind brochures.

b) Due process/parental involvement consequences

1) Increased parent awareness exists through formal procedures.

Several reasons exist for a greater level of parent knowledge about special education programs.

First, informal parent inolvement in programming has provided an excellent base in District A.3 Principals and teachers have usually called parents about program changes, exchanged behavioral information, and included parents in some staff discussions. As a result of P.L. 94-142, schools now have standard forms for every step of the special education process in which parents must either be involved or "sign off." The newly formalized special education process defines specific points where parent notification letters for assessment, consent and meeting attendance are required. Parents are not only notified of meetings three days before they are scheduled, but also informed that they may change meeting times if necessary. Some schools hold early morning, lunchtime, or evening meetings for parent convenience.

The parent role in the special education process was amplified in the fall of 1978 when copies of IEPs completed on the word processor were mailed home to the parents for review. While parents have long been informally involved in program discussions in District A.3, this was the first time they received copies of the long and short-term objectives, except for parents of children in self-contained classes.

In addition to better notification for parents, some teachers noted that the increased media coverage of the rights of special education children has led to more parent referrals, and has also increased parent knowledge about available programs. Their increased awareness can also be attributed to the special education teachers who are responsible in some schools for verbally informing parents of their rights before GPT meetings.

Parent awareness was further strengthened in District A.3 by in-service sessions on P.L. 94-142, and district programs, sponsored by the LEA. Parents

of pre-school handicapped children were also in-serviced. This fall, a social worker, teacher and speech clinician met with parents once a week for five weeks to discuss the management of pre-schoolers, their relationship with siblings, and the like. Most parents in District A.3 do not belong to a local advocacy group, but nevertheless have an impact on school policy.

Despite increased parent awareness, the degree of parent involvement still varies. In some schools parent attendance at GPT meetings is only 25%, while in others it is 85-100%. Despite the fact that parents sign off on notification letters or attend meetings, limited numbers of parents actively participate in program discussions. Some parents were intimitdated by the large number of professionals discussing programs in unfamiliar jargon.

2) Due Process hearing shakes staff self-confidence.

Perhaps the greatest impact of P.L. 94-142 on this district in fall 1978 was a due process hearing in which the LEA was involved. Central staff, principals, and other staff had to spend days preparing materials for the hearing; the hearing took eight hours. Psychologists and teachers spent hours on the stand testifying. As a result, they felt completely demoralized. Although the special education process is a group decision-making process, those who had to testify felt their professionalism was questioned as they spent hours defending decisions they had made. They disliked the courtroom atmosphere and format of the hearing which did not allow them to defend themselves. Staff involved in the hearing claimed they now take a defensive posture toward their tasks, documenting everything they do, regardless of the time it takes from service delivery, in order to protect themselves for future hearings. One staff member who testified said she would consider resigning before going through a hearing again.

3) Legal factors affect special education process.

Another effect of the district's involvement in the due process hearing is a concern that the LEA must know legal strategies and how to adequately prepare for hearings. Among the principals interviewed, a few do not allow a child to be referred unless the social worker, reading consultant or the psychologist has observed or tested the child and determined that special education placement would be likely. Principals resort to pre-referral and informal testing to avoid

unnecessary meeting time, and the possiblity of recrimination if a child is falsely labeled. After becoming involved in the due process hearing, the Special Education Coordinator focused upon all the liabilities and legal issues which P.L. 94-142 raised for the LEA, and how it can defend and protect itself at hearings. The LEA payed someone to brief special education staff on these procedures.

4) School Board approves of modified due process procedures.

As far as some Board members are concerned, the newly-adopted State procedures for local hearings eases the Board's role. Last year, the Board was the local hearing board at local hearings. The Board had to attend long sessions for each hearing, hire a stenographer and lawyer, and listen to long presentations by staff, parents and lawyers. The State was told by USOE/BEH that School Board's hearing were not impartial, so the State switched to administrative reviews. Board members like the new procedure as one meeting is held to review a child's folders, provided by special education staff who occasionally attend to assist the Board's reading of the documents. Central office staff have two sessions, in 1978-79. Parents may submit letters presenting their side of the case. Consequently, some Board members like the shorter, less expensive reviews, although usually the Board doesn't overturn special education staff decisions at these reviews.

5) The due process hearings are causing an adversarial relationship between home and school.

In a district which has prided itself on the frequent home/school contact, the hearing process is something of a blow to that tradition. In the single hearing conducted in this LEA in fall 1978, the school district has appealed the decision feeling the parents' request was unjustified. The State hearing officer ruled that the child whose case was being heard should be allowed to attend a private facility at LEA expense and the LEA staff should assist staff at the facility in IEP development. The hearing officer never asked about programs at the private facility nor compared them to those at the LEA in making the decision. The LEA is appealing the decision on these grounds. The Superintendent asked the Board to allocate $2,000 to appeal the decision.

B. GENERAL CONSEQUENCES

1. Special education backlash may occur.

P.L. 94-142 is increasingly viewed in this community as a strong force for the special education department. District A.3 is well-known for its special education programs; in fact, several respondents claim local businesses encourage new employees with handicapped children to move to District A.3 because of its good performance record. But as the town attempts to limit its spiralling budget, and regular education items are removed or receive no new dollars, the special education budget increases. Residents are becoming annoyed over the cuts in regular programs. Last year, the hockey program was almost cut; the need for responding to P.L. 94-142 special education requirements was partially blamed. Some community members perceive special education as siphoning dollars away from regular children. The Superintendent and Board expect a possible backlash as the regular budget is cut and the special education budget is cut and the special education budget grows. Some Board members believe the regular and gifted children receive fewer services than they should, because they have not the protection of a powerful piece of legislation.

Some Board members also believe that Federal intervention in special education programs is unnecessary. A School Board member with three-year tenure felt the Board generally disliked the time staff had to spend on paperwork to account for a system which already functioned well before P.L. 94-142. This Board member thought programming was most affected by staff time spent on reporting. The Board particularly dislikes having to hire more clerical staff and to put more Board meeting time into discussing and approving new special education administrative procedures. The Board also dislikes being faced with a possible need for another special education administrator as the number of special education staff grows.

A subtle rift is arising between special education and regular teachers as special education teachers' facilities improve and regular teachers' do not, and as regular teachers continue to accept children they feel unprepared to teach, but for whom the special education teachers have less time to assist. Some regular teachers believe P.L. 94-142 hands legal responsibility and dollars for better facilities over to the special education teachers, and want equal treatment

when assisting with those children. Numerous respondents thought all regular educators -- teachers and principals -- could use more in-service training on instructing the different exceptionalities before mainstreaming would be effective.

2. LEA is concerned over serving non-public students.

With the recent clarification by USOE/BEH for the SEAs' (and hence the LEAs') special education services to children served in private/parochial schools, the LEA is fearful that parochial schools will begin requesting services, which are not budgeted by the LEA nor are covered adequately with P.L. 94-142 dollars. The LEA believes the BEH regulations are unrealistic to expect the LEA to be able to provide instructors in private schools and adequately maintain administrative and supervisory control over these staff. Furthermore, in an LEA with a small staff, if teachers are sent to private schools, public school children could receive less instruction, and could not have the one-on-one instruction a private school child could conceivably receive.

3. Slow learners are receiving fewer services.

P.L. 94-142 has resulted in increased emphasis on special education students and carefully defines who is eligible for special education. Some special services staff complain that they feel pressure to serve first the children for whom the LEA will be reimbursed by P.L. 94-142. But, as special services staff and regular teachers commented, they now spend so much time with a special education child's diagnosis, placement and IEP, they have little time for the borderline, or slow learner student.

Since no Federal mandate covers the needs of these children, some LEA staff are becoming concerned that children who need additional help will receive it less and less. Already there is some competition over whom the reading consultant should serve. In one school the consultant leaves Title I children with an aide, then consults with the aide about the problems she's having. But the slow learners who fall neither into Title I nor special education are those the teachers fear will be missed. Teachers cite instances of these children coming to them to ask for help. Although elementary clinics are available for these students, junior high clinics are few in number. A formal remedial program was established for seventh graders and teachers with double time-off periods volunteer time for the remedial study hall.